

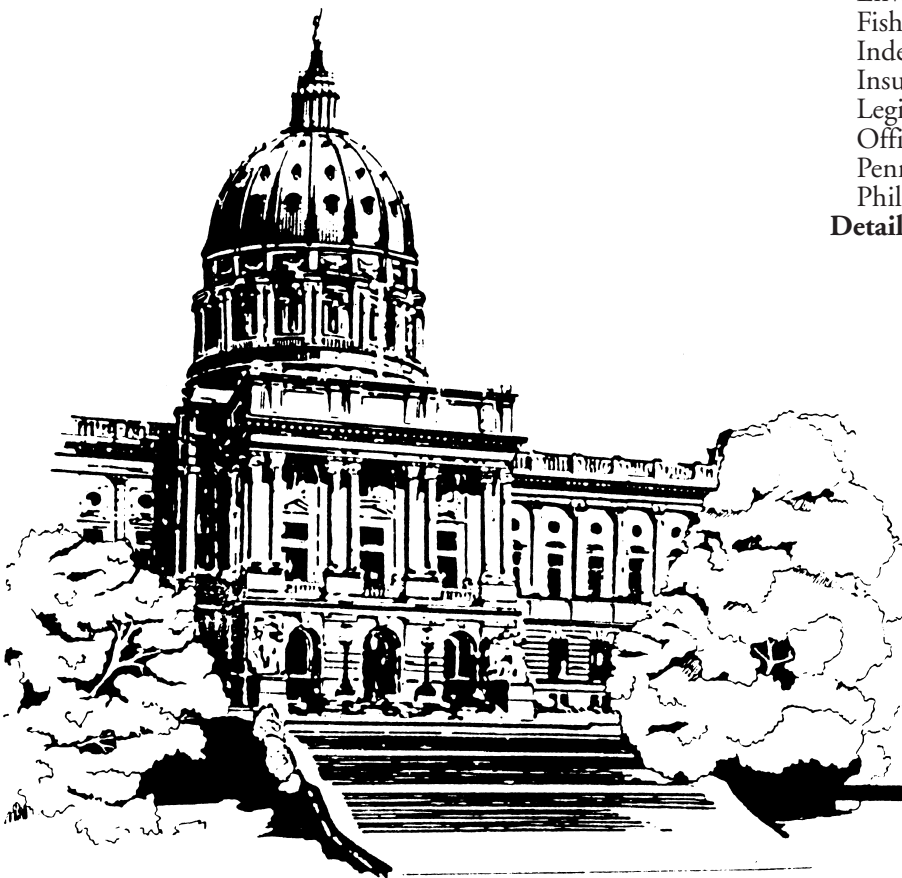
PENNSYLVANIA BULLETIN

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Agencies in this issue

The Courts
Department of Banking and Securities
Department of Environmental Protection
Department of Health
Department of Human Services
Department of Labor and Industry
Department of Transportation
Environmental Hearing Board
Fish and Boat Commission
Independent Regulatory Review Commission
Insurance Department
Legislative Reference Bureau
Office of the Budget
Pennsylvania Public Utility Commission
Philadelphia Parking Authority

Detailed list of contents appears inside.



**Latest Pennsylvania Code Reporter
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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 COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW [204 PA. CODE CH. 71]

Order Amending Rule 402 of the Pennsylvania Bar Admission Rules; No. 783 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 27th day of November, 2018, upon the recommendation of the Board of Law Examiners, the proposal having been published for public comment at 47 Pa.B. 2423 (April 29, 2017):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 402 of the Bar Admission Rules is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and the amendments shall be effective December 14, 2018.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART IV. ADMISSION TO PRACTICE LAW

CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

Subchapter D. MISCELLANEOUS PROVISIONS

Rule 402. Confidentiality.

(a) *General Rule.* Except as otherwise prescribed in these rules, the actions and records of the Board are confidential and shall not be disclosed or open to inspection by the public.

(b) *Permitted Disclosure.* The Board may, however:

(1) publish a list of the names of applicants who successfully completed the bar examination administered by the Board;

(2) **publish data and statistics regarding bar examination results;**

(3) upon request from the dean of a law school, furnish the law school with the names of applicants from the law school who did not successfully complete the bar examination, provided the law school has agreed to only use such information internally within the law school and not to disclose the names of students who failed the bar examination to any person or organization outside of the law school;

[(3)] (4) upon written request from a state or county bar association located within this commonwealth, furnish such bar association with the names and addresses of those applicants who have successfully completed the bar examination administered by the Board and who have not objected to the release of such information, provided the bar association has agreed to only use such information for purposes of offering applicants membership in and services provided by or through the bar association;

[(4)] (5) release information with respect to an applicant upon a written request from a bar admission authority in another jurisdiction, provided the admission authority agrees to use the information only for bar admission purposes and has a rule or policy that guarantees the confidentiality of bar admission materials and records to the same extent required by this rule;

[(5)] (6) release information with respect to an applicant upon a written request from [**the Disciplinary Board of this Commonwealth or from a lawyer disciplinary authority in another jurisdiction**] **a lawyer disciplinary board or authority or a judicial disciplinary board or authority**, provided the disciplinary authority agrees to use the information only for attorney **or judicial** disciplinary matters and has a rule or policy that guarantees the confidentiality of its disciplinary materials and records to the same extent required by this rule;

(7) when the Board learns of information that may be relevant to a disciplinary board or authority, the Board may share that information with the appropriate disciplinary board or authority, provided the disciplinary board or authority agrees to use the information only for attorney or judicial disciplinary matters and has a rule or policy that requires the confidentiality of its disciplinary materials and records to the extent required by this rule;

[(6)] (8) release information with respect to an applicant when necessary in defending litigation brought against the Court, the Board, its members or staff arising out of or related to the bar admission process;

[(7)] (9) release a copy of the bar admission application submitted by an applicant upon receipt of a properly executed written authorization and release from the applicant;

[(8)] (10) release information with respect to an applicant pursuant to a court order;

[(9)] (11) release to the National Conference of Bar Examiners [**the name and the date of birth**] **required identifying information** of individuals who have applied to take the bar examination or be admitted to the bar of this Commonwealth; and

[(10)] (12) publish the contents of responses submitted to a question on the bar examination by an applicant as a representative sample of a good answer, provided the identity of the applicant is not disclosed.

(c) *Limitation.* Nothing set forth in this rule shall prohibit the Board from refusing to provide information relating to an applicant, when the writer or provider of the information has requested that the information be kept confidential or when the Board deems it imprudent to disclose such information.

Official Note: Based on former Supreme Court Rule 14D.

* * * * *

[Pa.B. Doc. No. 18-1920. Filed for public inspection December 14, 2018, 9:00 a.m.]

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS [204 PA. CODE CH. 211]

Judicial Salaries

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART VII. ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

CHAPTER 211. CONSUMER PRICE INDEX AND JUDICIAL SALARIES

§ 211.1a. Consumer Price Index—judicial salaries.

The Court Administrator of Pennsylvania reports that the percentage change in the Philadelphia-Wilmington-Atlantic City, PA-DE-NJ-MD, Consumer Price Index for All Urban Consumers (CPI-U) for the 12-month period ending October 2018, was 1.6 percent (1.6%). (See U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index, Wednesday, November 14, 2018.)

§ 211.2. Judicial salaries effective January 1, 2019.

The annual judicial salaries for calendar year beginning January 1, 2019 will be adjusted by a cost-of-living factor.

(a) *Supreme Court.*

(1) The annual salary of a justice of the Supreme Court shall be \$211,027.

(2) The annual salary of the Chief Justice of the Supreme Court shall be \$217,168.

(b) *Superior Court.*

(1) The annual salary of a judge of the Superior Court shall be \$199,114.

(2) The annual salary of the President Judge of the Superior Court shall be \$205,253.

(c) *Commonwealth Court.*

(1) The annual salary of a judge of the Commonwealth Court shall be \$199,114.

(2) The annual salary of the President Judge of the Commonwealth Court shall be \$205,253.

(d) *Courts of common pleas.*

(1) The annual salary of a judge of the court of common pleas shall be \$183,184.

(2) The annual salaries of the president judges of the courts of common pleas shall be in accordance with the following schedule:

(i) Allegheny County, \$186,255.

(ii) Philadelphia County, \$186,869.

(iii) Judicial districts having six or more judges, \$184,781.

(iv) Judicial districts having five or fewer judges, \$183,984.

(v) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with six or more judges, \$184,781.

(vi) Administrative judges of the divisions of the Court of Common Pleas of Philadelphia County with five or fewer judges, \$183,984.

(vii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with six or more judges, \$184,781.

(viii) Administrative judges of the divisions of the Court of Common Pleas of Allegheny County with five or fewer judges, \$183,984.

(e) *Philadelphia Municipal Court.*

(1) The annual salary of a judge of the Philadelphia Municipal Court shall be \$178,946.

(2) The annual salary of the President Judge of the Philadelphia Municipal Court shall be \$181,710.

(g) *Magisterial district judge.* The annual salary of a magisterial district judge shall be \$91,597.

(h) *Senior judges.* The compensation of the senior judges pursuant to 42 Pa.C.S. § 4121 (relating to assignment of judges) shall be \$567 per day. In any calendar year the amount of compensation which a senior judge shall be permitted to earn as a senior judge shall not when added to retirement income paid by the Commonwealth for such senior judge exceed the compensation payable by the Commonwealth to a judge then in regular active service on the court from which said senior judge retired. A senior judge who so elects may serve without being paid all or any portion of the compensation provided by this section.

[Pa.B. Doc. No. 18-1921. Filed for public inspection December 14, 2018, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1000]

Proposed Adoption of Pa.R.C.P. No. 1065.1

The Civil Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the adoption of Pa.R.C.P. No. 1065.1 governing the form notice required by Section 5527.1 of the Judicial Code, 42 Pa.C.S. § 5527.1, 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 will neither constitute a part of the rules nor will be officially adopted by the Supreme Court.

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

Karla M. Shultz, Counsel
 Civil Procedural Rules Committee
 Supreme Court of Pennsylvania
 Pennsylvania Judicial Center
 PO Box 62635
 Harrisburg, PA 17106-2635
 FAX: 717-231-9526
 civilrules@pacourts.us

All communications in reference to the proposal should be received by January 18, 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 Civil Procedural Rules Committee

DAVID L. KWASS,
Chair

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART 1. GENERAL

CHAPTER 1000. ACTIONS

Subchapter D. ACTION TO QUIET TITLE

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

Rule 1065.1. Notice. Claim for Adverse Possession.

(a) This rule governs an action to quiet title of property pursuant to Section 5527.1 of the Judicial Code, 42 Pa.C.S. § 5527.1.

Official Note: Section 5527.1 of the Judicial Code permits a plaintiff to seek to acquire title to real property or a contiguous lot to real property by commencing an action to quiet title if the party has adversely possessed the real property or contiguous lot for a period of not less than ten years.

(b) As used in this rule,

“plaintiff” means the possessor of real property who is seeking to quiet title to real property or a contiguous lot to real property that he or she has adversely possessed for a period of not less than ten years.

“defendant” means the owner, and the owner’s heirs, successors, and assigns, of the real property as recorded in the most recent deed filed in the Recorder of Deeds Office at the courthouse in county in which the real property is located.

(c) Upon satisfying the requirements of Section 5527.1(a)-(b) of the Judicial Code, the plaintiff may commence an action to quiet title and provide notice as required in subdivision (d) of this rule.

(d) The notice shall be substantially in the following form:

(CAPTION)

Notice Required by Section 5527.1 of the Judicial Code

To the above-named defendant:

The plaintiff in the above-captioned matter has filed an action to quiet title pursuant to Section 5527.1 of the Judicial Code, 42 Pa.C.S. § 5527.1, seeking to acquire title by adverse possession of real property described as follows:

Street Address
City, State, Postal Zip Code
Deed Reference
Uniform Parcel Identifier or Tax Parcel Number

Metes and Bounds Description

If you wish to challenge the claim of adverse possession, you must respond to the action to quiet title within one year after this complaint and notice are served by commencing an action in ejectment against the plaintiff.

EXPLANATORY COMMENT

The Civil Procedural Rules Committee is proposing new Rule 1065.1 setting forth the form notice required by Section 5527.1 of the Judicial Code, 42 Pa.C.S. § 5527.1. Section 5527.1 provides for a ten-year limitation for adverse possession of real property under certain circumstances after which the adverse possessor may seek to acquire title to real property by filing an action to quiet title. Section 5527.1(c) requires the adverse possessor to provide notice relating to the respondent record owner’s ability to cure the adverse possession. Section 5527.1(d) directs that the notice is to be provided in a form approved by rule of the Pennsylvania Supreme Court and must include the following information: (1) that the record owners or their heirs, successors, and assigns shall have one year in which to respond to the quiet title action by commencing an action in ejectment against the adverse possessor to dispute the claim of adverse possession, (2) the metes and bounds description of the property, (3) deed reference, (3) street address, (4) postal zip code, and (5) uniform parcel identifier or tax parcel number. Proposed new Rule 1065.1 is intended to incorporate the requirements of Section 5527.1(d).

By the Civil Procedural Rules Committee

DAVID L. KWASS,
Chair

[Pa.B. Doc. No. 18-1922. Filed for public inspection December 14, 2018, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 5]

Order Adopting New Rule 556.13, Amending Rule 556.11 and Revising the Comments of Rules 502, 513, 516, 517 and 518 of the Rules of Criminal Procedure; No. 505 Criminal Procedural Rules Doc.

Order

Per Curiam

And Now, this 27th day of November, 2018, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been published before adoption at 48 Pa.B. 507 (January 20, 2018), and a Final Report to be published with this *Order*:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that new Pennsylvania Rule of Criminal Procedure 556.13 is adopted, Pennsylvania Rule of Criminal Procedure 556.11 is amended, and the Comments to Pennsylvania Rules of Criminal Procedure 502, 513, 516, 517 and 518 are revised, in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective March 1, 2019.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

PART B. Instituting Proceedings

Rule 502. Instituting Proceedings in Court Cases.

Criminal proceedings in court cases shall be instituted by:

- (1) filing a written complaint; or
- (2) an arrest without a warrant:
 - (a) when the offense is a murder, felony, or misdemeanor committed in the presence of the police officer making the arrest; or
 - (b) upon probable cause when the offense is a felony or murder; or
 - (c) upon probable cause when the offense is a misdemeanor not committed in the presence of the police officer making the arrest, when such arrest without a warrant is specifically authorized by statute.

Comment

Criminal proceedings in court cases are instituted by 1) the filing of a complaint, followed by the issuance of a summons or arrest warrant; or by 2) a warrantless arrest, followed by the filing of a complaint. For the definition of "court case," see Rule 103.

If the defendant is held for court, the attorney for the Commonwealth submits an information to the court (see Rule 560). See Section 8931(d) of the Judicial Code, 42 Pa.C.S. § 8931(d).

There are only a few exceptions to this rule regarding the instituting of criminal proceedings in court cases. There are, for example, special proceedings involving a coroner or medical examiner. See *Commonwealth v. Lopinson*, [427 Pa. 552,] 234 A.2d 552 (Pa. 1967),

vacated on other grounds sub nom. *Lopinson v. Penn.*, 392 U.S. 647 (1968), and *Commonwealth v. Smouse*, [406 Pa. Super. 369,] 594 A.2d 666 (Pa. Super. 1991).

See Rules 556.11 and 556.13 for the procedures for the filing of a complaint following the issuance of an indictment.

Whenever a misdemeanor, felony, or murder is charged, even if the summary offense is also charged in the same complaint, the case should proceed as a court case under Chapter 5. See *Commonwealth v. Cauffman*, [541 Pa. 299,] 662 A.2d 1050 (Pa. 1995), and *Commonwealth v. Campana*, [455 Pa. 622,] 304 A.2d 432 (Pa. 1973), vacated and remanded, 414 U.S. 808 (1973), on remand, [454 Pa. 233,] 314 A.2d 854 (Pa. 1974). In judicial districts in which there is a traffic court established pursuant to 42 Pa.C.S. §§ 1301—1342, when a summary motor vehicle offense within the jurisdiction of the traffic court arises in the same criminal episode as another summary offense or a misdemeanor, felony, or murder offense, see 42 Pa.C.S. § 1302 and *Commonwealth v. Masterson*, [275 Pa. Super. 166,] 418 A.2d 664 (Pa. Super. 1980).

Paragraph (2)(c) is intended to acknowledge those specific instances wherein the General Assembly has provided by statute for arrest without a warrant for a misdemeanor not committed in the presence of the arresting officer. It in no way attempts to modify the law of arrest where no specific statutory provision applies.

For institution of criminal proceedings in summary cases, see Rule 400.

Official Note: Original Rule 102(1), (2), and (3), adopted June 30, 1964, effective January 1, 1965; suspended January 31, 1970, effective May 1, 1970. New Rule 102 adopted January 31, 1970, effective May 1, 1970; renumbered Rule 101, and made applicable to court cases only, September 18, 1973, effective January 1, 1974; Comment revised February 15, 1974, effective immediately; amended June 30, 1975, effective September 1, 1975; Comment amended January 4, 1979, effective January 9, 1979; paragraph (1) amended October 22, 1981, effective January 1, 1982; Comment revised July 12, 1985, effective January 1, 1986; January 1, 1986 effective date extended to July 1, 1986; Comment revised January 31, 1991, effective July 1, 1991; Comment revised August 12, 1993, effective September 1, 1993; amended August 9, 1994, effective January 1, 1995; Comment revised January 16, 1996, effective immediately; renumbered Rule 502 and amended March 1, 2000, effective April 1, 2001; amended March 9, 2006, effective September 1, 2006; Comment revised September 21, 2012, effective November 1, 2012; **Comment revised November 27, 2018, effective March 1, 2019.**

Committee Explanatory Reports:

Report explaining the January 31, 1991 amendments published at 20 Pa.B. 4788 (September 15, 1990); Supplemental Report published at 21 Pa.B. 621 (February 16, 1991).

Report explaining the August 12, 1993 Comment revisions published at 22 Pa.B. 3826 (July 25, 1992).

Report explaining the August 9, 1994 amendments published at 22 Pa.B. 6 (January 4, 1993); Final Report published with the Court's Order at 24 Pa.B. 4342 (August 27, 1994).

Report explaining the January 16, 1996 Comment revisions published with the Court's Order at 26 Pa.B. 437 (February 3, 1996).

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

Final Report explaining the March 9, 2006 changes to paragraphs (2)(a) and (b) and the first and third paragraphs of the Comment published with the Court's Order at 36 Pa.B. 1392 (March 25, 2006).

Final Report explaining the September 21, 2012 revising the second paragraph of the Comment to correct a typographical error published with the Court's Order at 42 Pa.B. 6251 (October 6, 2012).

Final Report explaining the November 27, 2018 revision to the Comment regarding complaint procedures subsequent to indictment published with the Court's Order at 48 Pa.B. 7632 (December 15, 2018).

PART B(3). Arrest Procedures In Court Cases

(a) Arrest Warrants

Rule 513. Requirements for Issuance; Dissemination of Arrest Warrant Information.

(A) For purposes of this rule, "arrest warrant information" is defined as the criminal complaint in cases in which an arrest warrant is issued, the arrest warrant, any affidavit(s) of probable cause, and documents or information related to the case.

(B) ISSUANCE OF ARREST WARRANT

(1) In the discretion of the issuing authority, advanced communication technology may be used to submit a complaint and affidavit(s) for an arrest warrant and to issue an arrest warrant.

(2) No arrest warrant shall issue but upon probable cause supported by one or more affidavits sworn to before the issuing authority in person or using advanced communication technology. The issuing authority, in determining whether probable cause has been established, may not consider any evidence outside the affidavits.

(3) Immediately prior to submitting a complaint and affidavit to an issuing authority using advanced communication technology, the affiant must personally communicate with the issuing authority in person, by telephone, or by any device which allows for simultaneous audio-visual communication. During the communication, the issuing authority shall verify the identity of the affiant, and orally administer an oath to the affiant. In any telephonic communication, if the issuing authority has a concern regarding the identity of the affiant, the issuing authority may require the affiant to communicate by a device allowing for two-way simultaneous audio-visual communication or may require the affiant to appear in person.

(4) At any hearing on a motion challenging an arrest warrant, no evidence shall be admissible to establish probable cause for the arrest warrant other than the affidavits provided for in paragraph (B)(2).

(C) DELAY IN DISSEMINATION OF ARREST WARRANT INFORMATION

The affiant or the attorney for the Commonwealth may request that the availability of the arrest warrant information for inspection and dissemination be delayed. The arrest warrant affidavit shall include the facts and circumstances that are alleged to establish good cause for delay in inspection and dissemination.

(1) Upon a finding of good cause, the issuing authority shall grant the request and order that the availability of the arrest warrant information for inspection and dissemination be delayed for a period of 72 hours or until receipt of notice by the issuing authority that the warrant has been executed, whichever occurs first. The 72-hour period of delay may be preceded by an initial delay period of not more than 24 hours, when additional time is required to complete the administrative processing of the arrest warrant information before the arrest warrant is issued. The issuing authority shall complete the administrative processing of the arrest warrant information prior to the expiration of the initial 24-hour period.

(2) Upon the issuance of the warrant, the 72-hour period of delay provided in paragraph (C)(1) begins.

(3) In those counties in which the attorney for the Commonwealth requires that complaints and arrest warrant affidavits be approved prior to filing as provided in Rule 507, only the attorney for the Commonwealth may request a delay in the inspection and dissemination of the arrest warrant information.

Comment

This rule was amended in 2013 to add provisions concerning the delay in inspection and dissemination of arrest warrant information. Paragraph (A) provides a definition of the term "arrest warrant information" that is used throughout the rule. Paragraph (B) retains the existing requirements for the issuance of arrest warrants. Paragraph (C) establishes the procedures for a temporary delay in the inspection and dissemination of arrest warrant information prior to the execution of the warrant.

ISSUANCE OF ARREST WARRANTS

Paragraph (B)(1) recognizes that an issuing authority either may issue an arrest warrant using advanced communication technology or order that the law enforcement officer appear in person to apply for an arrest warrant.

This rule does not preclude oral testimony before the issuing authority, but it requires that such testimony be reduced to an affidavit prior to issuance of a warrant. All affidavits in support of an application for an arrest warrant must be sworn to before the issuing authority prior to the issuance of the warrant. The language "sworn to before the issuing authority" contemplates, when advanced communication technology is used, that the affiant would not be in the physical presence of the issuing authority. See paragraph (B)(3).

All affidavits and applications filed pursuant to this rule are public records. However, in addition to restrictions placed by law and rule on the disclosure of confidential information, the filings required by this rule are subject to the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* and may require further precautions, such as placing certain types of information in a "Confidential Information Form" or providing both a redacted and unredacted version of the filing. See Rule 113.1.

This rule carries over to the arrest warrant the requirement that the evidence presented to the issuing authority be reduced to writing and sworn to, and that only the writing is subsequently admissible to establish that there was probable cause. In these respects, the procedure is similar to that applicable to search warrants. See Rule 203. For a discussion of the requirement of probable cause for the issuance of an arrest warrant, see *Commonwealth v. Flowers*, 369 A.2d 362 (Pa. Super. 1976).

The affidavit requirements of this rule are not intended to apply when an arrest warrant is to be issued for noncompliance with a citation, with a summons, or with a court order.

An affiant seeking the issuance of an arrest warrant, when permitted by the issuing authority, may use advanced communication technology as defined in Rule 103.

When advanced communication technology is used, the issuing authority is required by this rule to (1) determine that the evidence contained in the affidavit(s) establishes probable cause, and (2) verify the identity of the affiant.

Verification methods include, but are not limited to, a "call back" system, in which the issuing authority would call the law enforcement agency or police department that the affiant indicates is the entity seeking the warrant; a "signature comparison" system whereby the issuing authority would keep a list of the signatures of the law enforcement officers whose departments have advanced communication technology systems in place, and compare the signature on the transmitted information with the signature on the list; or an established password system.

Under Rule 540, the defendant receives a copy of the warrant and supporting affidavit at the time of the preliminary arraignment.

See Rule 556.11 for the procedures for the issuance of an arrest warrant by the supervising judge of an indicting grand jury following indictment of an individual not previously arrested.

DELAY IN DISSEMINATION OF ARREST WARRANT INFORMATION

Paragraph (C) was added in 2013 to address the potential dangers to law enforcement and the general public and the risk of flight when arrest warrant information is disseminated prior to the execution of the arrest warrant. The paragraph provides that the affiant or the attorney for the Commonwealth may request, for good cause shown, the delay in the inspection and dissemination of the arrest warrant information for 72 hours or until receipt of notice by the issuing authority that the warrant has been executed, whichever occurs first. Upon a finding of good cause, the issuing authority must delay the inspection and dissemination.

The request for delay in inspection and dissemination is intended to provide a very limited delay in public access to arrest warrant information in those cases in which there is concern that pre-execution disclosure of the existence of the arrest warrant will endanger those serving the warrant or will impel the subject of the warrant to flee. This request is intended to be an expedited procedure with the request submitted to an issuing authority.

A request for the delay in dissemination of arrest warrant information made in accordance with this rule is not subject to the requirements of Rule 576.

Once the issuing authority receives notice that the arrest warrant is executed, or when 72 hours have elapsed from the issuance of the warrant and the warrant has not been executed, whichever occurs first, the information must be available for inspection or dissemination unless the information is sealed pursuant to Rule 513.1.

The provision in paragraph (C)(2) that provides up to 24 hours in the delay of dissemination and inspection prior to the issuance of the arrest warrant recognizes that, in some cases, there may be administrative processing of the arrest warrant request that results in a delay

between when the request for the 72-hour period of delay permitted in paragraph (C)(1) is approved and when the warrant is issued. In no case may this additional period of delay exceed 24 hours and the issuing authority must issue the arrest warrant within the 24-hour period.

When determining whether good cause exists to delay inspection and dissemination of the arrest warrant information, the issuing authority must consider whether the presumption of openness is rebutted by other interests that include, but are not limited to, whether revealing the information would allow or enable flight or resistance, the need to protect the safety of police officers executing the warrant, the necessity of preserving the integrity of ongoing criminal investigations, and the availability of reasonable alternative means to protect the interest threatened by disclosure.

Nothing in this rule is intended to limit the dissemination of arrest warrant information to court personnel as needed to perform their duties. Nothing in this rule is intended to limit the dissemination of arrest warrant information to or by law enforcement as needed to perform their duties.

Pursuant to paragraph (C)(3), in those counties in which the district attorney's approval is required only for certain, specified offenses or grades of offenses, the approval of the district attorney is required for a request to delay inspection and dissemination only for cases involving those specified offenses.

Official Note: Rule 119 adopted April 26, 1979, effective as to arrest warrants issued on or after July 1, 1979; Comment revised August 9, 1994, effective January 1, 1995; renumbered Rule 513 and amended March 1, 2000, effective April 1, 2001; amended May 10, 2002, effective September 1, 2002; amended December 23, 2013, effective March 1, 2014; amended November 9, 2017, effective January 1, 2018; Comment revised June 1, 2018, effective July 1, 2018; **Comment revised November 27, 2018, effective March 1, 2019.**

Committee Explanatory Reports:

Report explaining the August 9, 1994 Comment revisions published at 22 Pa.B. 6 (January 4, 1992); Final Report published with the Court's Order at 24 Pa.B. 4342 (August 27, 1994).

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

Final Report explaining the May 10, 2002 amendments concerning advanced communication technology published with the Court's Order at 32 Pa.B. 2591 (May 25, 2002).

Final Report explaining the December 23, 2013 amendments providing procedures for delay in dissemination and sealing of arrest warrant information published with the Court's Order at 44 Pa.B. 243 (January 11, 2014).

Final Report explaining the November 9, 2017 amendments regarding electronic technology for swearing affidavits published with the Court's Order at 47 Pa.B. 7180 (November 25, 2017).

Comment revision regarding the Court's public access policy published with the Court's Order at 48 Pa.B. 3575 (June 16, 2018).

Final Report explaining the November 27, 2018 revision to the Comment cross-referencing post-indictment arrest warrant procedures in Rule

556.11 published with the Court's Order at 48 Pa.B. 7632 (December 15, 2018).

Rule 516. Procedure in Court Cases When Warrant of Arrest is Executed Within Judicial District of Issuance.

(A) When a defendant has been arrested in a court case, with a warrant, within the judicial district where the warrant of arrest was issued, the defendant shall be afforded a preliminary arraignment by the proper issuing authority without unnecessary delay.

(B) When a preliminary arraignment is conducted using advanced communication technology pursuant to Rule 540(A), the defendant shall be taken to an advanced communication technology site that, in the judgment of the arresting officer, is most convenient to the place of arrest without regard to the boundary of any magisterial district or judicial district.

Comment

This rule was amended in 1983 to permit closed circuit television preliminary arraignment, to insure that the preliminary arraignment is not delayed and the defendant is not detained unduly because of the unavailability of a particular issuing authority (see Rule 132), to reflect that "judicial district" is the appropriate subdivision of the Commonwealth, and to make the wording of this rule consistent with related rules. See Rules 431 and 517. These amendments are not intended to affect the responsibility of the police and issuing authorities to insure prompt preliminary arraignments.

This rule is intended to permit the use of advanced communication technology (including two-way simultaneous audio-visual communication and closed circuit television) in preliminary arraignments. See Rule 540 and Comment for the procedures governing the use of advanced communication technology in preliminary arraignments.

This rule permits a defendant to be transported to an advanced communication technology site that is located outside the judicial district of arrest for preliminary arraignment. The arresting officer should determine which site is the most convenient to the place of arrest without regard to the boundary of any magisterial district or judicial district.

See Rule 556.13 for procedures following execution of an arrest warrant issued after indictment pursuant to Rule 556.11(E).

Official Note: Original Rule 116 adopted June 30, 1964, effective January 1, 1965; suspended January 31, 1970, effective May 1, 1970. New Rule 116 adopted January 31, 1970, effective May 1, 1970; renumbered Rule 122 September 18, 1973, effective January 1, 1974; amended January 28, 1983, effective July 1, 1983; Comment revised July 12, 1985, effective January 1, 1986, effective date extended to July 1, 1986; renumbered Rule 123 and Comment revised August 9, 1994, effective January 1, 1995; renumbered Rule 516 and Comment revised March 1, 2000, effective April 1, 2001; amended May 10, 2002, effective September 1, 2002; **Comment revised November 27, 2018, effective March 1, 2019.**

Committee Explanatory Reports:

Report explaining the August 9, 1994 Comment revisions published at 22 Pa.B. 6 (January 4, 1992); Final Report published with the Court's Order at 24 Pa.B. 4342 (August 27, 1994).

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1477 (March 18, 2000).

Final Report explaining the May 10, 2002 amendments concerning advanced communication technology published with the Court's Order at 32 Pa.B. 2591 (May 25, 2002).

Final Report explaining the November 27, 2018 revisions to the Comment regarding post-indictment arrest warrants published with the Court's Order at 48 Pa.B. 7632 (December 15, 2018).

Rule 517. Procedure in Court Cases When Warrant of Arrest is Executed Outside Judicial District of Issuance.

(A) When a defendant has been arrested in a court case, with a warrant, outside the judicial district where the warrant of arrest was issued, the defendant shall be taken without unnecessary delay to the proper issuing authority in the judicial district of arrest for the purpose of posting bail, as permitted by law.

(B) Such issuing authority shall advise the defendant of the right to post bail. If bail is posted, the defendant shall be admitted to bail, conditioned upon the defendant's appearance for the preliminary arraignment before the proper issuing authority in the judicial district where the warrant was issued, at a date certain not less than 5 nor more than 10 days thereafter.

(C) When a defendant fails to post bail, the arresting person shall:

(1) return the defendant to the judicial district where the warrant was issued, without unnecessary delay, for preliminary arraignment by the proper issuing authority; or

(2) lodge the defendant in a suitable place of detention in the judicial district of arrest, and forthwith notify the proper issuing authority in the judicial district where the warrant was issued of the defendant's detention, and the place of such detention. Upon receipt of this notice, the issuing authority shall, without unnecessary delay, cause the defendant to be brought to the judicial district where the warrant was issued for preliminary arraignment by the proper issuing authority.

(D) When a defendant has been held for 48 hours or more without preliminary arraignment, in a place of detention outside the judicial district where the warrant was issued, because of the inability to post bail, the defendant shall be discharged from custody upon application of any interested person to a judge of a court of the judicial district of detention; provided that, upon cause shown the judge may grant one or more extensions of the defendant's detention to an early date, fixed in the order, but if the defendant remains in custody and has not been removed to the judicial district where the warrant was issued at the end of the extended detention period, the defendant shall be discharged from custody.

(E) When a defendant who has posted bail and been released from custody before preliminary arraignment thereafter fails to appear at the time fixed, the proper issuing authority in the judicial district where the warrant was issued shall forthwith cause the bail to be forfeited according to law, and issue a bench warrant. If the defendant is thereafter arrested outside the judicial district where the bench warrant was issued, the defendant shall not be entitled to post bail in the judicial district where arrested, but shall be taken as soon as

practicable to the judicial district where the bench warrant was issued for preliminary arraignment by the proper issuing authority.

(F) When, upon application of any interested person, it is shown to the satisfaction of a judge of a court in the judicial district where the warrant of arrest was issued, that the defendant was returned to that judicial district without being given the opportunity to post bail, as provided in paragraphs (A) and (B), and that had such opportunity been given, the defendant would have been able to post such bail, the judge shall have the discretion to:

- (1) discharge the defendant from custody; or
- (2) release the defendant on bail, conditioned upon the defendant's appearance at the preliminary hearing; and
- (3) forfeit all costs, including mileage and transportation charges, of the arresting and transporting person, in order that such costs and charges shall not be taxed in the case.

(G) All recognizances accepted under this rule shall forthwith be transmitted to the proper issuing authority in the judicial district where the warrant was issued.

Comment

Nothing in this rule prevents a defendant from consenting to dispense with the procedures in paragraph (A) if the defendant is afforded a preliminary arraignment without unnecessary delay in the judicial district where the warrant was issued.

See Rule 518 for using advanced communication technology following execution of arrest warrant outside the judicial district of issuance.

For preliminary hearing procedures, see Rules 540 and 541.

Section 8953 of the Judicial Code, 42 Pa.C.S. § 8953, provides for the execution of warrants of arrest beyond the territorial limits of the police officer's primary jurisdiction. See also *Commonwealth v. Mason*, [507 Pa. 396,] 490 A.2d 421 (Pa. 1985).

Paragraph (E) originally used the term "alias warrant" to describe the type of warrant issued when a defendant is arrested outside the judicial district of issuance, is released on bond by a magisterial district judge in the judicial district of arrest conditioned on the defendant's appearance at a preliminary arraignment in the judicial district of issuance, and then fails to appear. Because the term "alias warrant" is an archaic term that refers to the reissuance of a warrant when the original purpose of the warrant has not been achieved, and the warrant issued in paragraph (E) is issued for the failure to appear as contemplated by Rule 536(A)(1)(b), paragraph (E) was amended in 2005 by changing the terminology to "bench warrant."

For purposes of this rule, if a defendant is arrested pursuant to an arrest warrant issued following indictment pursuant to Rule 556.11(E), the issuing authority in the county of issuance is the supervising judge of the grand jury in that county or the president judge's designee. See Rule 556.13.

Official Note: Original Rule 117 adopted June 30, 1964, effective January 1, 1965; suspended January 31, 1970, effective May 1, 1970. New Rule 117 adopted January 31, 1970, effective May 1, 1970; renumbered Rule 123 September 18, 1973, effective January 1, 1974; amended January 28, 1983, effective July 1, 1983; renu-

bered Rule 124 and amended August 9, 1994, effective January 1, 1995; amended December 27, 1994, effective April 1, 1995; renumbered Rule 517 and amended March 1, 2000, effective April 1, 2001; Comment revised May 10, 2002, effective September 1, 2002; amended October 19, 2005, effective February 1, 2006; **Comment revised November 27, 2018, effective March 1, 2019.**

Committee Explanatory Reports:

Report explaining the August 9, 1994 amendments published at 22 Pa.B. 6 (January 4, 1992); Final Report published with the Court's Order at 24 Pa.B. 4342 (August 27, 1994).

Report explaining the December 27, 1994 amendments published at 24 Pa.B. 1673 (April 2, 1994); Final Report published with the Court's Order at 25 Pa.B. 142 (January 14, 1995).

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

Final Report explaining the May 10, 2002 Comment revision concerning advanced communication technology published with the Court's Order at 32 Pa.B. 2591 (May 25, 2002).

Final Report explaining the October 19, 2005 amendments to paragraph (E) changing "alias warrant" to "bench warrant" published with the Court's Order at 35 Pa.B. 6090 (November 5, 2005).

Final Report explaining the November 27, 2018 revisions to the Comment regarding post-indictment arrest warrants published with the Court's Order at 48 Pa.B. 7632 (December 15, 2018).

Rule 518. Using Advanced Communication Technology in Court Cases When Warrant of Arrest is Executed Outside Judicial District of Issuance.

(A) When a defendant has been arrested in a court case, with a warrant, outside the judicial district where the warrant of arrest was issued, the defendant may be taken for a preliminary arraignment or the posting of bail to an advanced communication technology site that, in the judgment of the arresting officer, is most convenient to the place of arrest without regard to the boundary of any magisterial district or judicial district; and

(1) the defendant must be taken to the advanced communication technology site without unnecessary delay.

(2) The preliminary arraignment may be conducted pursuant to Rule 540 by the proper issuing authority in the magisterial district or judicial district in which the warrant was issued; or

(3) the defendant may post bail as permitted by law with the proper issuing authority in the judicial district in which the defendant was arrested.

(B) If a preliminary arraignment is conducted pursuant to paragraph (A)(2), and the defendant does not post bail, the issuing authority who conducted the preliminary arraignment shall commit the defendant to the jail in the judicial district in which the defendant was arrested or the judicial district in which the warrant was issued.

(1) The issuing authority may transmit to the jail any required documents by using advanced communication technology.

(2) When a monetary condition of bail is set by the issuing authority who conducted the preliminary arraignment, the payment of the monetary condition shall be

made to either the issuing authority who imposed the monetary condition or the proper issuing authority in the judicial district in which the defendant was arrested.

(C) Pursuant to paragraph (A)(3), when the defendant appears via advanced communication technology before the proper issuing authority in the judicial district in which the defendant was arrested, the procedures set forth in Rule 517 shall be followed.

Comment

This rule sets forth the procedures for using advanced communication technology when a defendant is arrested with a warrant outside the judicial district in which it was issued: when advanced communication technology is available, the defendant could be preliminarily arraigned by the issuing authority who issued the warrant, or the “on-duty” issuing authority in that judicial district, or “appear” via advanced communication technology before the proper issuing authority for the purpose of posting bail.

See Rule 130 concerning *venue*.

See Rule 132 concerning the continuous availability and temporary assignment of issuing authorities.

When advanced communication technology is available only in the judicial district of arrest, the case would proceed under paragraph (A)(3), unless the defendant consents to dispense with the procedures in paragraph (A)(3), and the defendant is afforded a preliminary arraignment without unnecessary delay in the judicial district in which the warrant was issued.

See Rule 540 and Comment for the procedures governing the use in preliminary arraignments of two-way simultaneous audio-visual communication, which is a form of advanced communication technology.

This rule permits a defendant to be transported to an advanced communication technology site that is located outside the judicial district of arrest. The arresting officer should determine which site is the most convenient to the place of arrest without regard to the boundary of any magisterial district or judicial district.

For purposes of this rule, if a defendant is arrested pursuant to an arrest warrant issued following indictment pursuant to Rule 556.11(E), the issuing authority in the county of issuance is the supervising judge of the grand jury in that county or the president judge’s designee. See Rule 556.13.

Official Note: New Rule 518 adopted May 10, 2002, effective September 1, 2002; **Comment revised November 27, 2018, effective March 1, 2019.**

Committee Explanatory Reports:

Final Report explaining the May 10, 2002 adoption of new Rule 518 published with the Court’s Order at 32 Pa.B. 2591 (May 25, 2002).

Final Report explaining the November 27, 2018 revisions to the Comment regarding post-indictment arrest warrants published with the Court’s Order at 48 Pa.B. 7632 (December 15, 2018).

PART E. Indicting Grand Jury

Rule 556.11. Proceedings When Case Presented to Grand Jury.

(A) A grand jury has the authority to:

(1) inquire into violations of criminal law through subpoenaing witnesses and documents; and

(2) based upon evidence it has received, including hearsay evidence as permitted by law, or upon a presentment issued by an investigating grand jury, if the grand jury finds the evidence establishes a *prima facie* case that (1) an offense has been committed and (2) the defendant has committed it, indict defendant for an offense under the criminal laws of the Commonwealth of Pennsylvania; or

(3) based upon evidence it has received, including hearsay evidence as permitted by law, or upon a presentment issued by an investigating grand jury, if the grand jury finds the evidence establishes a prima facie case that (1) an offense has been committed and (2) the person other than the defendant in the matter originally presented to the indicting grand jury has committed it, indict the individual for an offense under the criminal laws of the Commonwealth of Pennsylvania, but only if the offense arises from the same criminal conduct or episode that gave rise to the original referral to the indicting grand jury; or

[(3)] (4) decline to indict.

(B) After a grand jury has considered the evidence presented, the grand jury shall vote whether to indict the defendant **or the person other than the defendant who has been identified as having committed an offense as provided in paragraph (A)(3).** The affirmative vote of at least 12 grand jurors is required to indict.

(C) In cases in which the grand jury votes to indict, an indictment shall be prepared setting forth the offenses on which the grand jury has voted to indict. The indictment shall be signed by the grand jury foreperson, or deputy foreperson if the foreperson is unavailable, and returned to the supervising judge.

(D) Upon receipt of the indictment, the supervising judge shall:

(1) provide a copy of the indictment to the Commonwealth authorizing the attorney to prepare an information pursuant to Rule 560; and

(2) forward the indictment to the clerk of courts [, or issue an arrest warrant, if the subject of the indictment has not been arrested on the charges contained in the indictment] .

(E) If the subject of the indictment has not been arrested on the charges contained in the indictment, upon receipt of a copy of the indictment, the attorney for the Commonwealth shall file a complaint with the clerk of courts of the judicial district in which the indicting grand jury sits, and shall request the supervising judge issue an arrest warrant.

(1) The indictment shall be used in lieu of the affidavit of probable cause.

(2) The supervising judge shall issue an arrest warrant.

[(E)] (F) At the request of the attorney for the Commonwealth, the supervising judge shall order the indictment to be sealed.

[(F)] (G) In cases in which the grand jury does not vote to indict, the foreperson promptly and in writing shall so report to the supervising judge who immediately shall dismiss the complaint and shall notify the clerk of courts of the dismissal.

Comment

Nothing in this rule is intended to preclude the investigating grand jury, when sitting as an indicting grand jury and as part of its determination of whether to indict, from considering evidence already presented to it during an investigation.

When the grand jury votes to indict the defendant, the vote to indict is the functional equivalent of holding the defendant for court following a preliminary hearing. In these cases, the matter will proceed in the same manner as when the defendant is held for court following a preliminary hearing. *See, e.g.*, Rules 547 and 560.

The indictment required by paragraph (C) no longer serves the traditional function of an indictment, but rather serves as an instrument authorizing the attorney for the Commonwealth to file an information. *See* Rule 103.

Concerning hearsay evidence before the indicting grand jury, see *Commonwealth v. Dessus*, [423 Pa. 177,] 224 A.2d 188 (Pa. 1966).

This rule was amended in 2018 to clarify that a person who has not been previously charged may be indicted. A case must be properly before the grand jury as provided in Rule 556.2. If during the course of that grand jury proceeding, it is determined that a prima facie case exists that an offense has been committed by an individual who is not the defendant in the case that was originally presented to the indicting grand jury, that individual may be indicted. However, the offense for which this new defendant has been indicted must be related to the same criminal conduct or episode that originally resulted in the case being referred to the indicting grand jury. Thereafter, the attorney for the Commonwealth must file a complaint and a request that an arrest warrant be issued as provided in paragraph (E). The filing of this complaint marks the beginning of the time period for speedy trial under Rule 600. See Rule 556.13 for the procedures following the execution of an arrest warrant issued following indictment.

In cases in which the grand jury has declined to indict and the complaint has been dismissed, the attorney for the Commonwealth may reinstitute the charges as provided in Rule 544.

Official Note: New Rule 556.11 adopted June 21, 2012, effective in 180 days; **amended November 27, 2018, effective March 1, 2019.**

Committee Explanatory Reports:

Final Report explaining the new rule published with the Court's Order at 42 Pa.B. 4153 (July 7, 2012).

Final Report explaining the November 27, 2018 amendment regarding the issuance of indictment of non-defendants published with the Court's Order at 48 Pa.B. 7632 (December 15, 2018).

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

Rule 556.13. Procedures Following Execution of Warrant of Arrest Issued Following Indictment.

(A) When a defendant has been arrested within the judicial district where the warrant of arrest has been issued by the supervising judge of an indicting grand jury following the receipt of the indictment as provided in Rule 556.11(E), the defendant shall be afforded a prelimi-

nary arraignment by the supervising judge or another judge designated by the president judge without unnecessary delay.

(B) When a defendant has been arrested outside of the judicial district where the warrant of arrest has been issued by the supervising judge of an indicting grand jury following the receipt of the indictment as provided in Rule 556.11(E), the case shall proceed as provided in Rules 517 and 518 and this rule.

(C) Following the preliminary arraignment provided pursuant to paragraph (A) and (B), the case shall proceed in the court of common pleas pursuant to Rules 560 and 571.

Comment

This rule provides the procedures following the arrest of a defendant pursuant to a warrant issued by the supervising judge of an indicting grand jury. The defendant must be provided a preliminary arraignment in a timely manner following arrest. Because a case that had been submitted to the indicting grand jury is transferred to the court of common pleas, the preliminary arraignment must be held before the supervising judge or another judge of the common pleas designated by the president judge.

An indictment by a grand jury is a *prima facie* determination made in lieu of a preliminary hearing in cases where witness intimidation has occurred, is occurring, or will occur. Therefore, following indictment, the case is in the same status as a case that has been held for court. The next steps following the preliminary arraignment in these situations would be the filing of the criminal information as provided in Rule 560 and the arraignment as provided in Rule 571.

Official Note: New Rule 556.13 adopted November 27, 2018, effective March 1, 2019.

Committee Explanatory Reports:

Final Report explaining new Rule 556.13 providing procedures following the execution of arrest warrants issued by the supervising judge of an investigating grand jury published with the Court's Order at 48 Pa.B. 7632 (December 15, 2018).

FINAL REPORT¹

New Rule 556.13, Amendment of Pa.R.Crim.P. 556.11, and Revision of the Comments to Pa.Rs.Crim.P. 502, 513, 516, 517, and 518

Post-Indictment Arrest Warrant Procedures

On November 27, 2018, effective March 1, 2019, upon the recommendation of the Criminal Procedural Rules Committee, the Court adopted new Rule 556.13 (Procedures Following Execution of Warrant of Arrest Issued Following Indictment), amended Rule 556.11 (Proceedings When Case Presented to Grand Jury), and revised the Comments to Rules 502 (Instituting Proceedings in Court Cases), 513 (Requirements for Issuance; Dissemination of Arrest Warrant Information), 516 (Procedure in Court Cases When Warrant of Arrest is Executed Within Judicial District of Issuance), 517 (Procedure in Court Cases When Warrant of Arrest is Executed Outside Judicial District of Issuance), and 518 (Using Advanced Communication Technology in Court Cases When Warrant of Arrest is Executed Outside Judicial District of

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

Issuance) to provide procedures when an arrest warrant is issued following an indictment as provided in Rule 556.11(D)(2).

The Committee was presented with a question regarding the provision in Rule 556.11(D)(2) that allows for issuance of an arrest warrant for an individual who has not been arrested previously for the charges contained in the indictment. Specifically, it is not clear how such an individual would be formally charged or what procedures for post-indictment arrests should be followed.

Rule 556.11(D)(2) was included when the grand jury indictment procedures were revived in 2012. The idea for this type of warrant came up in the context of a case before the indicting grand jury where the evidence indicates that another individual was involved in the same criminal activity and there was sufficient evidence being presented to the grand jury that would allow this new individual to be indicted as a co-defendant even though he or she hadn't been arrested. As noted in the Committee's Final Report from that time:

Paragraph (D)(2) requires the supervising judge to forward a copy of the indictment to the clerk of courts, or to issue an arrest warrant if the subject of the indictment has not been arrested on the charges contained in the indictment. The arrest provision was included because, although infrequent, there are times when the indicting grand jury hears evidence that reveals there is another individual who has not been charged but who is involved in the criminal activity that is the subject of the indicting grand jury. The Committee majority agreed the rule should provide a procedure to address this situation so the case would not "fall through the cracks." 42 Pa.B. 4140 (July 7, 2012).

It appears that more detailed procedures regarding these types of warrants were not included given that the number of cases that may be presented to an indicting grand jury, *i.e.* those that involve witness intimidation concerns, were anticipated to be relatively few and that the situations where new individuals would be identified during the grand jury proceedings would be even rarer. However, in light of the inquiry presented, the Committee decided that these procedures needed to be further defined.

The Committee agreed that an indictment could be issued against a previously uncharged defendant if a case has been properly determined to be before an indicting grand jury due to the possibility of witness intimidation and the grand jury had determined that there was evidence against that uncharged defendant. The Committee recognized that this method of initiating a case currently was not recognized by the rules. In particular, there was a question as to how the cases should be initiated and whether the indictment might be used as a charging document in lieu of a criminal complaint.

The Committee concluded that the method for initiating a case for a defendant who had not been previously charged but was indicted by grand jury should be, as in other criminal case, by means of a criminal complaint. However, since the grand jury procedure takes the place of a preliminary hearing, procedures following the preliminary arraignment after the warrant had been executed would differ from other criminal cases. The Committee agreed that the procedures should provide for: (a) the filing of a criminal complaint prior to the issuance of the arrest warrant by the supervising judge of the grand

jury; and (b) procedures following the arrest of such a defendant including preliminary arraignment before the supervising judge or president judge's designee. Thereafter, the case would proceed to the filing of the information and formal arraignment.

Rule 556.11 (Proceedings when Case Presented to Grand Jury) has been amended by adding a new paragraph (A)(3) to specifically authorize the grand jury to indict an individual who was not previously charged in the case that is before the grand jury. The provision that permits the issuance of an arrest warrant in original paragraph (D)(2) has been placed in a new paragraph (E) and sets out the procedures to be followed when such an individual is indicted. Once the attorney for the Commonwealth receives a copy of the indictment, he or she must file a complaint with the clerk of courts in the county where the grand jury sits. A request for an arrest warrant must then be presented to the supervising judge, using the indictment as the affidavit of probable cause. The supervising judge then must issue the warrant. Comment language has been added to provide some additional information.

New Rule 556.13 provides the procedures following the arrest of this new defendant. The defendant receives a preliminary arraignment before the supervising judge or another common pleas judge designated by the president judge. Following preliminary arraignment, the case will proceed as provided in Rule 560, with the filing of the information, and Rule 571, with formal arraignment. It should be noted that the Committee believes that any defect regarding the grand jury process, such as raising objections to the presentation of the case to the grand jury, could be addressed through a *habeas corpus* motion to the common pleas court.

Since these procedures require the filing of a complaint, no new provisions needed to be added to Rule 502 (Instituting Proceedings in Court Cases) but a cross-reference to the new procedures in Rules 556.11 and 556.13 has been added to the Comment. Similarly, a cross-reference to these procedures has been added to the Comment to Rule 513 (Requirements for Issuance; Dissemination of Arrest Warrant Information). Additionally, cross-references to the post-execution procedures have been added to the Comments to Rules 516 (Procedure in Court Cases When Warrant of Arrest is Executed Within Judicial District of Issuance), 517 (Procedure in Court Cases When Warrant of Arrest is Executed Outside Judicial District of Issuance), and 518 (Using Advanced Communication Technology in Court Cases When Warrant of Arrest is Executed Outside Judicial District of Issuance).

One question raised in the initial inquiry regarded what event triggered the running of the Rule 600 time limitation when an arrest warrant is issued in this situation. Since the proposal would require the filing of a complaint in these cases, they would fall within the parameters of Rule 600 that provides that the filing of the complaint normally is the event that starts the speedy trial "clock." A statement clarifying this point has been added to the Comment to Rule 556.11.

The Committee also considered the concern that, by failing to show a connection between the alleged witness intimidation and the specific new defendant, the procedures represent an unwarranted departure from the underpinnings of indicting grand juries. The Committee ultimately concluded that this concern was unfounded. The current indicting grand jury procedures, particularly as provided in Rules 556 (A) and 556.2(A)(3), require a

showing that the witness intimidation, verified by a judicial determination, "has occurred, is occurring, or is likely to occur" in the case being presented to the indicting grand jury. The rules do not require that there be a showing that the charged defendant is tied to that intimidation. This reflects the practical consideration that the danger to witnesses may not arise from the defendant but rather from his or her associates.

Another concern that the Committee reviewed was that the new procedures invite the use of "John Doe" indictments to charge unidentified individuals in order to file charges within the statute of limitations, with the implication that this provision will be used to initiate charges that go beyond the original case. A clear reading of the changes to Rule 556.11 indicates that the rule contemplates that the indicted person must be identified clearly as one having committed the offense that is before the indicting grand jury. Nonetheless, to clarify further that the indictment must be tied to the original case, Rule 556.11(A)(3) has been modified to state that the charges against the new defendant must result from the same criminal conduct or episode that was the subject of the original referral to the indicting grand jury.

[Pa.B. Doc. No. 18-1923. Filed for public inspection December 14, 2018, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Deferment of Legacy Incapacitated Cases; Administrative Order No. 01 of 2018

Order

And Now, this 29th day of November, 2018, the Court having provided to the Administrative Office of Pennsylvania Courts ("AOPC") on or about August 27, 2018 a list of all "Active" Incapacitated Cases for further tracking in the Guardianship Tracking System ("GTS"), it now appearing that there remain legacy Incapacitated Cases within the Case Management System ("CMS") used by Clerk of the Orphans' Court ("Clerk") which are cases with no docket activity for over ten (10) years and which do not contain all required information to enable the Court to determine whether these legacy Incapacitated Cases are "Active" or "Inactive," the Clerk is directed to mark as "Deferred" all legacy Incapacitated Cases lacking any of the following data-fields in the CMS:

- (1) Name of Incapacitated Person
- (2) Address of Incapacitated Person
- (3) Case Number
- (4) Name of Guardian(s)
- (5) Date Guardian(s) Appointed
- (6) Address(es) of Guardian(s)

Thereafter, the Court shall review each Deferred legacy Incapacitated Case to determine whether the case is still Active, and shall take required dispositive action to mark the case "Active" or "Closed."

This Order shall be filed with the Office of Judicial Records in a docket maintained for Orders issued by the First Judicial District of Pennsylvania and shall be published in *The Legal Intelligencer*, and will be posted

on the First Judicial District's website at <http://www.courts.phila.gov>. One certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts; two certified copies of this Order, and a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. Copies shall be submitted to American Lawyer Media, the Jenkins Memorial Law Library, and the Law Library for the First judicial District of Pennsylvania.

By the Court

HONORABLE MATTHEW D. CARRAFIELLO,
*Administrative Judge, Orphans' Court Division
Court of Common Pleas, Philadelphia County*

[Pa.B. Doc. No. 18-1924. Filed for public inspection December 14, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Clerk of Courts—Criminal Division; AD 2-2018

Administrative Order

And Now, this 1st day of November, 2018, the Clerk of Courts' FEE BILL, effective January 1, 2019, as follows and incorporated herein is hereby approved by Jeffrey Finley, President Judge, in accordance with Act 36 of 2000—Clerk of Courts' Fee Law effective August 21, 2000.

By the Court

JEFFREY FINLEY,
President Judge

**Office of the Clerk of Courts
Fee Bill 2019**

**Adopted pursuant to Act No. 36 of 2000
Effective January 1, 2019**

**MISDEMEANORS AND FELONIES DISPOSED OF
BEFORE TRIAL***

For each case ** **\$226.00**

**MISDEMEANORS AND FELONIES DISPOSED OF
DURING OR AFTER TRIAL***

For each case ** **\$279.00**

SUMMARY/CONTEMPT MATTERS

For each Summary case** **\$32.00**

NOTES:

* For purposes of this Fee Bill, a trial begins in a non-jury trial when the prosecution begins its opening statement and in a jury trial when the jury is sworn.

** A "case" is each separate complaint, transcript, or Bill of Information unless consolidated for trial by Order of Court.

Fees set by:

Mary K. Smithson, Clerk of Courts

ADDITIONAL CHARGES ON EACH INFORMATION OR TRANSCRIPT WHETHER DISPOSED OF BEFORE, DURING, OR AFTER TRIAL

(Not totally inclusive of all STATE-mandated ACTS)

Charges Mandated by Act 113 of 2001: (portion to County; and portion to State)

FELONY INFORMATION	\$67.50
MISDEMEANOR INFORMATION	\$58.50
SUMMARY CONVICTION except Motor Vehicle	\$51.00
SUMMARY CONVICTION—Motor Vehicle Case	\$40.50
SUMMARY CONVICTION—Motor Vehicle Case with Hearing Demanded	\$48.50

Note: If multiple convictions are involved, only one set of costs will be assessed (highest amount) for each case.

Defendants sentenced to County Probation supervision or placed on County Parole	\$35.00 per month
Defendants subject to A.R.D. agreement or Probation pursuant to Section 17	\$350.00 (ARD Administrative Fee and Supervision Fee)
ADMINISTRATIVE MANAGEMENT FEE cost of handling money paid into court	\$30.00 (maximum)
BENCH WARRANT (Certifications)	\$22.00
WITNESS FEE (For Commonwealth Witnesses)	7 cents per mileage plus \$5.00 per witness per day
CONSTABLE COSTS (from D.J. level)	ACTUAL COST
SHERIFF FEE	\$5.00
TRANSPORTATION Costs	ACTUAL COSTS
Cost of CRIME LAB fees for Commonwealth	ACTUAL COSTS
PAROLE VIOLATION Additional Hearings	\$53.00
ARD/Section 17 VIOLATION Additional Hearings	\$53.00
AUTOMATION FEE (for each initial action or initial legal proceeding)	\$5.00
LAW LIBRARY	\$20.00
BOOKING CENTER FEE	\$200.00
FORENSIC LAB FEE (DUI)	\$150.00

ADDITIONAL FEES

Certifications (includes Drivers License notifications to PA Dept of Transportation and Bail Forfeitures)	\$11.00
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APPEALS to Superior, Supreme, or Commonwealth Courts (PLUS \$90.25 check made payable to Appellate Court eff. 11-01-17)	\$59.00
FILING OF ALL OTHER MATTERS IN THE CLERK OF COURTS' OFFICE (includes Bail Assignments) *Addtl \$5 Automation Fee if Misc Case created *	\$20.00*
RECORD SEARCHES (includes name search, one docket print, and/or up to 5 copies from file)	\$20.00
SERVICE CHARGE FOR BAD CHECKS or cancelled Money Orders Received OR Credit/Debit Card reversals	\$35.00
Request to STOP PAYMENT on a check	\$32.00
COPY CHARGE (per page)	\$0.30
MICROFILM COPIES (per page)	\$1.50
Pay-per-page Convenience Fee	\$1.00 plus \$0.10/page
DOCKET PRINT OUT (up to 20 pages, each additional \$0.30 per page)	\$5.00
FAX charge	\$1.00
Electronic media copy fee	\$10.00 per CD
SUBPOENA	\$4.00
BAIL PIECE	\$11.00
EXEMPLIFICATIONS (Certifications) Each Additional page	\$11.00 \$1.30
APPEAL FROM SUMMARY CONVICTION * Addtl \$5 Automation Fee *	\$59.00*
EXPUNGEMENT/LIMITED ACCESS PETITION/ORDER (Service includes 5 certified copies of Order) * Addtl \$5 Automation Fee if Misc Case created (1 case per petition or if multiple cases on the same petition, additional certification fees may apply)	\$110.00* (Additional \$132.00 mandated by Act 5 of 2016)

BAIL PROCESSING FEES

BAIL ADMINISTRATIVE FEE (entering and servicing bail (includes Bond)—See Local Rule Crim 535(G)(H)(I)(J). If less than \$100, no refund; exception ROR)	\$100.00
R.O.R/Unsecured BAIL BOND	\$11.00
REAL ESTATE BAIL	\$22.00

JUVENILE MATTERS

INITIAL HEARING (each docket)	\$53.00
ADDITIONAL HEARING (per juvenile)	\$41.00

PETITIONS FOR PRIVATE DETECTIVE LICENSE

FILING FEE	\$49.00
INITIAL LICENSE—INDIVIDUAL (2 YEARS)	\$200.00
INITIAL LICENSE—CORPORATION (2 YEARS)	\$300.00
RENEWAL OF LICENSE PROCESSING FEE	\$20.00
RENEWED LICENSE—INDIVIDUAL (3 YEARS)	\$300.00
RENEWED LICENSE— CORPORATION (3 YEARS)	\$450.00
FEE for PROCESSING FINGERPRINT CARDS *PLUS: Check payable to <i>Commonwealth of Pennsylvania</i> (per fingerprint card)—\$17.50	\$11.00*

[Pa.B. Doc. No. 18-1925. Filed for public inspection December 14, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

DAUPHIN COUNTY

Promulgation of Local Rules; No. 1793 S 1989

Order

And Now, this 4th day of December, 2018, Dauphin County Local Rule 215.4 is amended as follows:

Rule 215.4. [**Complex Litigation Designation**]: **Application for Appointment of a [Single] Judge for All Pretrial Matters and Trial.**

[At anytime after the service of the complaint, any party to a case may file a pleading designated as an Administrative Application for Complex Case Designation. The Application shall be set forth in paragraph form. An original and one copy of the Application shall be filed with the Prothonotary. The Application shall set forth the parties, the causes of action, the nature of cross or counter claims, and a brief statement of the perceived complexities of the case. The Application shall further aver that all other parties have been contacted and shall state whether or not they concur in the Application. Where concurrence has not been obtained, a Rule to Show Cause, returnable within ten

days of service, shall be attached to the Application. The Prothonotary shall forward the original Application to the Court Administrator's Office for further processing and shall retain the copy in the file. The Court Administrator's Office shall thereafter refer the matter to the Civil Calendar Judge who, upon review of the Application and any answer thereto, shall determine whether complex litigation designation is appropriate. If such status is granted, the Civil Calendar Judge shall by order assign the case to a member of the Court. This assignment shall be considered permanent for all pre-trial, trial, and post-trial matters.]

After service of the complaint, any party may file with the Prothonotary an original and copy of an Application for Appointment of a Judge for All Pretrial Matters and Trial. The Application shall identify the parties, the causes of action, the nature of any cross or counterclaims and a brief summary of the perceived discovery issues and any other pretrial or trial complexities. The Application shall aver whether all other parties concur with the request. If not all parties concur, a Rule to Show Cause shall be attached to the Application. The original Application shall be forwarded to the Court Administrator's Office for assignment to the Civil Calendar Judge who will, if deemed warranted, assign the case to a judge for all pretrial matters and trial.

A denial by the Civil Calendar Judge [of complex litigation designation] shall be without prejudice to refile another Application after the pleadings are closed.

Comment: The Court is seeing an increased number of cases that will benefit from the early involvement of a judge, such as complicated commercial and medical malpractice cases, multiple motor vehicle/fatality cases, and novel product liability cases. This rule allows counsel to bring to the attention of the Court those cases that may require early judicial attention. The assigned judge can provide sustained and consistent pretrial management and preside at trial with a thorough understanding of the case, presumably expediting its conclusion through mediation or trial.

This amendment shall be effective thirty (30) days from date of publication.

By the Court

RICHARD A. LEWIS,
President Judge

[Pa.B. Doc. No. 18-1926. Filed for public inspection December 14, 2018, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 51]

General Provisions; Administrative Provisions

The Fish and Boat Commission (Commission) amends Chapter 51 (relating to administrative provisions). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The amendments update the Commission's fees for scientific collectors' permits.

A. *Effective Date*

This final-form rulemaking will go into effect on January 1, 2019.

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 amendments to § 51.71 (relating to scientific collectors' permits) are published under the statutory authority of section 2905 of the code (relating to permits for scientific and educational fish collecting activities).

D. *Purpose and Background*

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

E. *Summary of Changes*

Under section 2905 of the code, the Executive Director, with the Commission's approval, may issue permits to catch fish in waters within or bordering on this Commonwealth at any season of the year and with any kind of devices without regard to size or possession limits to a person who possesses a valid Pennsylvania fishing license and is engaged in scientific or educational research or other collecting activities approved by the Commission. This section also authorizes the Commission to promulgate regulations and to establish fees.

In 1985, the Commission adopted § 51.71, which requires a valid and current scientific collector's permit issued by the Commission to collect, take or maintain for scientific or educational purposes any species of Pennsylvania fishes, amphibians, reptiles or aquatic organisms during seasons not permitted by regulations governing holders of a valid Pennsylvania fishing license or other license or permit issued by the Commission (for example, venomous snake permit, organized reptile and amphibian hunt permit).

In July 1978, the Commission established various fees for different permit types within the Scientific Collector Permit Program (Program) through terms and conditions of the scientific collectors' permit. Three types of permits with associated fees through this Program were developed: Type 1 permit (Research) \$10, assistants and permit amendments had no fee; Type 2 (Government) free permit, assistants and permit amendments had no fee; and Type 3 permit (Consulting) \$50, and \$10 each assistant and permit amendments. Permit conditions

require that all collectors (scientific collector permit holders and their assistants) have current valid fishing licenses prior to issuance of the scientific collectors' permit and any subsequent collecting activity. In January 2008, the long-term policy was codified, and the fee structure was updated: Type 1 permit (Research) \$30, assistants free and permit amendments \$15; Type 2 (Government) free permit, assistants and permit amendments free; and Type 3 permit (Consulting) \$150, \$30 each assistant and permit amendments \$75.

The Natural Diversity Section, housed within the Commission's Bureau of Fisheries, Division of Environmental Services, administers the Program. This Program has significant staff demands. Administering the Program requires staff to receive and review new and renewal permit applications and amendments, and process end-of-year permit reports. A significant part of this administration is ongoing clerical support (dealing with applicant questions, changes to permits, processing payments for permits and amendments) and continual database and system maintenance support provided by our Information Technology staff. Reviewing the applications requires a technical review and substantial staff interaction with potential collectors, often resulting in changes to proposed collections. Staff also periodically check for permit compliance in the field. Permit collection reports are filed by staff and relevant collection information (that is, rare, threatened and endangered species data) is extracted from reports and submitted to the Pennsylvania Natural Heritage Program to be included in a Statewide database for rare species (Pennsylvania Conservation Explorer) that is consulted during the environmental permit review process. Staff also review and issue special permits under § 75.4 (relating to special permits) for applicants that qualify to conduct threatened and endangered species research and surveys.

Currently, Commission staff review new, renewal and amended applications and issue approximately 420 scientific collector's permits annually. To address an increasing trend of permits and ongoing Program demands, the Commission's Natural Diversity Section and Information Technology staff have been working together to streamline the permit application process and improve the application and reporting process with an interactive, web-based computer application that is accessible to the public. This web-based application is the first of its kind for the Commission and requires regular maintenance and upgrades. Staff proposes to increase the permit fees to offset increasing program costs using the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index (CPI) tool that is based on annual inflation rates since the fee structure was last updated in January 2008. The proposed permit fee changes adjusted with CPI inflation rate values since January 2008 follow: Type 1 permit (Research) \$40, assistants free and permit amendments \$20; Type 2 (Government) free permit, assistants and permit amendments free (no changes proposed); and Type 3 permit (Consulting) \$180, \$40 each assistant and permit amendments \$90.

The Commission therefore amends § 51.71 to read as set forth at 48 Pa.B. 5497 (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 impact on the Commonwealth or its political subdivisions. The increased fees will help offset the Commission's continuing expenses to administer the Program and the costs of the interactive, web-based application.

This final-form rulemaking will increase fees for permit applicants. The fee for a Type I permit for Nonprofit Research and Education will increase from \$30 to \$40, assistants on Type I permits will remain free and the fee for a Type I permit amendment will increase from \$15 to \$20. The fee for a Type II permit for Government remains free and assistants and permit amendment also remain free. The fee for a Type III permit for Consulting will increase from \$150 to \$180, the fee for assistants on Type III permits will increase from \$30 to \$40 and the fee for a Type III permit amendment will increase from \$75 to \$90.

With regard to all permit types, the Commission will utilize the fees to offset the costs associated with permit issuance and processing and data compilation. It is expected that the Commission will recover its costs for the permits for which fees are charged and that the Commission will absorb the costs associated with the free permits.

H. Public Involvement

Notice of proposed rulemaking was published at 48 Pa.B. 5497. The Commission received no public comment.

Findings

The Commission finds that:

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

(2) A public comment period was provided, and no public comments were received.

(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 51, is amended by amending § 51.71 to read as set forth at 48 Pa.B. 5497.

(B) The Executive Director will submit this order and 48 Pa.B. 5497 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. 5497 and deposit them with the Legislative Reference Bureau as required by law.

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

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-283 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 18-1927. Filed for public inspection December 14, 2018, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 51 and 93]

General Provisions; Boating

The Fish and Boat Commission (Commission) amends Chapters 51 and 93 (relating to administrative provisions; and boat registration and numbering). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The amendments update the Commission's regulations for issuing agents.

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 § 51.37 (relating to application and prerequisites for becoming an issuing agent for the Pennsylvania Automated Licensing Service (PALS)) is published under the statutory authority of section 2711 of the code (relating to issuing agents). The amendment to § 93.13 (relating to issuing agents) is published under the statutory authority of section 5304 of the code (relating to issuing agents).

D. Purpose and Background

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

E. Summary of Changes

(1) Strategy 1B of the Commission's Strategic Plan is to "Increase traditional revenue sources and secure alternative funding to deliver core programs and services to benefit anglers, boaters, and trust species; deliver select discretionary programs and services to benefit all residents of this Commonwealth; and meet mandatory personnel costs." This strategy is designed in part to encourage the review and enhancement of existing revenue sources and to investigate and explore the development of alternative funding concepts.

Declines in traditional revenues, rapidly escalating costs associated with maintaining angler and boater demanded fishing and boating programs, and the lack of an enhancement to the fee structure for fishing licenses and permits necessitates the need to develop and implement several new or alternative funding concepts.

At its January 2018 meeting, staff presented initial information to the Board of Commissioners (Board) on 46 funding concepts. As part of the presentation, Board members were asked to individually prioritize the concepts and to provide feedback to the Executive Director. As a result, seven staff-proposed concepts were recognized as priorities and one additional concept was added and listed as a priority through the Commissioner review process. It was also acknowledged that the remaining concepts, while not a priority, should be advanced as they are more fully reviewed and developed by staff.

One of the remaining funding concepts is to evaluate the fee associated with the Commission's required application fee when a person, sole proprietorship, partnership or corporation apply to become a fishing license issuing agent of the Commission. The Executive Director may grant an application when accompanied by a security bond and the required application fee. The current application fee of \$150 was established in 2006. In 2017, the Commission processed 23 applications.

To bring the application fee up to current standards, the Commission proposes that § 51.37 be amended to read as set forth at 48 Pa.B. 5499 (September 1, 2018).

(2) Another of the remaining funding concepts is to evaluate the fee associated with the Commission's required application fee when a person, sole proprietorship, partnership or corporation apply to become an issuing agent for temporary boat registrations of the Commission. The Executive Director may grant an application when accompanied by a security bond and the required application fee. The current application fee of \$100 was established in 2001. In 2017, the Commission processed 32 applications.

To bring the application fee up to current standards, the Commission therefore amends § 93.13 to read as set forth at 48 Pa.B. 5499.

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 have no adverse fiscal impact on the Commonwealth or its political subdivisions. The amendment to § 51.37 will increase the application fee to become a fishing license issuing agent of the Commission from \$150 to \$250. The amendment to § 93.13 will increase the application fee to become an issuing agent for temporary boat registrations of the Commission from \$100 to \$250.

H. *Public Involvement*

Notice of proposed rulemaking was published at 48 Pa.B. 5499. The Commission received no public comment. *Findings*

The Commission finds that:

- (1) Public notice of intention to adopt the amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.
- (2) A public comment period was provided, and no public comments were received.
- (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 Chapters 51 and 93 are amended by amending §§ 51.37 and 93.13 to read as set forth at 48 Pa.B. 5499.
- (B) The Executive Director will submit this order and 48 Pa.B. 5499 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. 5499 and deposit them with the Legislative Reference Bureau as required by law.

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

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-286 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 18-1928. Filed for public inspection December 14, 2018, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 53]

General Provisions; Commission Property

The Fish and Boat Commission (Commission) amends Chapter 53 (relating to Commission property). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to Fish and Boat Code) (code). The amendments update the Commission's fees for cutting and removal of firewood from Commission property.

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 § 53.17 (relating to cutting and removal of firewood from Commission property) is published under the statutory authority of section 741(a) of the code (relating to control of property).

D. *Purpose and Background*

The specific purpose and background of the amendment is described in more detail under the summary of changes.

E. *Summary of Changes*

Strategy 1B of the Commission's Strategic Plan is to "Increase traditional revenue sources and secure alternative funding to deliver core programs and services to benefit anglers, boaters, and trust species; deliver select discretionary programs and services to benefit all residents of this Commonwealth; and meet mandatory personnel costs." This strategy is designed in part to encourage the review and enhancement of existing revenue sources and to investigate and explore the development of alternative funding concepts.

Declines in traditional revenues, rapidly escalating costs associated with maintaining angler and boater demanded fishing and boating programs, and the lack of an enhancement to the fee structure for fishing licenses and permits necessitates the need to develop and implement several new or alternative funding concepts.

At its January 2018 meeting, staff presented initial information to the Board of Commissioners (Board) on 46 funding concepts. As part of the presentation, Board members were asked to individually prioritize the concepts and to provide feedback to the Executive Director. As a result, seven staff-proposed concepts were recognized as priorities and one additional concept was added and listed as a priority through the Commissioner review process. It was also acknowledged that the remaining concepts, while not a priority, should be advanced as they are more fully reviewed and developed by staff.

One of the remaining funding concepts is to evaluate the fee associated with the Commission's permit that authorizes the cutting and removal of dead firewood from Commission property. The Executive Director may issue permits to interested persons when it is determined to be in the best interest of the Commission. The current fee of \$10 for each standard rough cord of wood was established in 1984. In 2017, the Commission authorized the cutting and removal of 56 cords of firewood.

To bring the per cord permit fee up to current market values, the Commission amends § 53.17 to read as set forth at 48 Pa.B. 5500 (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 have no adverse fiscal impact on the Commonwealth or its political subdivisions. The increased fees will help offset the Commission's continuing expenses to administer the program.

This final-form rulemaking will increase fees for permit applicants. The fee for each standard rough cord of wood will increase from \$10 to \$50.

H. Public Involvement

Notice of proposed rulemaking was published at 48 Pa.B. 5500. The Commission received no public comment.

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 no public comments were received.

(3) The adoption of the amendment 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 53, is amended by amending § 53.17 to read as set forth at 48 Pa.B. 5500.

(B) The Executive Director will submit this order and 48 Pa.B. 5500 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. 5500 and deposit them with the Legislative Reference Bureau as required by law.

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

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-284 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 18-1929. Filed for public inspection December 14, 2018, 9:00 a.m.]

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CHS. 71 AND 79]

Fishing; Reptiles and Amphibians

The Fish and Boat Commission (Commission) amends Chapters 71 and 79 (relating to propagation and introduction of fish into Commonwealth waters; and reptiles and amphibians). 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 on January 1, 2019.

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 amendments to § 71.7 (relating to triploid grass carp) are published under the statutory authority of section 2102 of the code (relating to rules and regulations). The amendments to §§ 79.5—79.7 (relating to snapping turtle permits; venomous snake permits; and organized reptile and amphibian hunt permits) are published under the statutory authority of 2904 of the code (relating to permits for protection and management of particular fish).

D. Purpose and Background

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

E. Summary of Changes

The Commission adopted regulations in § 71.7 pertaining to the possession and introduction of triploid grass carp (white amur). To provide for proper protection and management of these fish and other fish in the waters of this Commonwealth. Section 71.7 provides that permits shall be required for possessing triploid grass carp, introducing them into Commonwealth waters and importing or transporting them into this Commonwealth. A pondowner, landowner or other person who wishes to possess triploid grass carp and introduce them into a pond or waters located on property owned, leased or otherwise controlled by the person shall, before placing triploid grass carp in the waters, obtain from the Commission a triploid grass carp possession/introduction permit. A person who wishes to import triploid grass carp

into this Commonwealth shall obtain from the Commission a triploid grass carp importation/transportation permit.

This Triploid Grass Carp Program (Program) was initiated by the Commission in January 1994. Two types of permits with associated fees were established. A triploid grass carp possession/introduction permit was \$20. A triploid grass carp importation/transportation permit was \$50. In 2012, the fee structure was reassessed and increased to offset inflation and increasing Program costs. A triploid grass carp possession/introduction permit was increased to \$75. A triploid grass carp importation/transportation permit was increased to \$75.

The Aquatic Resource Section within the Commission’s Bureau of Fisheries, Division of Environmental Services, administers the Program. Administering the Program requires staff to review permit applications, maintain a database, process and approve the permits. Reviewing the applications requires a technical review, some field views and clerical support.

The Commission currently issues approximately 350 triploid grass carp permits per year. Staff proposes to increase the permit fees to offset increasing Program costs using the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index (CPI) tool that is based on annual inflation rates since the fee structure was last updated in January 2012. The proposed permit fee changes adjusted with CPI inflation rate values since January 2012 for the triploid grass carp possession/introduction permit is proposed to be \$85 and the triploid grass carp importation/transportation permit is proposed to be \$85.

Similarly, several amphibian and reptile permits have increasing program cost demands, and a similar increase in the fee structure approach to offset inflation and increasing Program costs are proposed (for example, using the CPI inflation tool).

In January 2008, Chapter 79 was overhauled, reorganized and updated. A permit was developed for individuals interested in the commercial collection and sale of snapping turtles in § 79.5. The snapping turtle permit fee was established at \$50 for residents of this Commonwealth and \$100 for nonresidents. Under § 79.6, the venomous snake permit was updated to allow permit holders to hunt for both the copperhead and timber rattlesnake. The fee for the venomous snake permit was increased from \$5 to \$25 for residents of this Commonwealth, and \$50 for nonresidents in January 2008. This Program has grown significantly. The past 2 years have experienced a record number of permits issued since the Program began in 1984. In 2017, 1,437 venomous snake permits were issued. For groups or organizations that want to conduct competitive organized hunts for reptiles and amphibians, an organized reptile and amphibian hunt permit may be obtained under § 79.7. There are currently only six permits issued per year, which mainly focus on the timber rattlesnake, where competitions for the largest and heaviest male snakes occur. One “turtle derby” organized hunt is also permitted annually. The organized reptile and amphibian hunt permit was updated in January 2008 from \$25 to \$100.

The Commission’s Bureau of Law Enforcement (Bureau) issues the snapping turtle and venomous snake permits. Bureau staff review incoming applications and issue permits, answer questions from hunters about the application process and hunting regulations, and process permits and payments. A significant amount of time is

spent on law enforcement details and permit compliance for the Venomous Snake Permit Program. The Natural Diversity Section of the Division of Environmental Services receives, reviews and databases hunter reports, and develops end-of-year summary reports for the programs. Natural Diversity Section staff also administer the Reptile and Amphibian Organized Hunt Program (review permit applications, issue permits and attend hunts for permit compliance purposes).

The Commission proposes to increase the permit fees for these three permit programs to offset increasing program costs using the CPI tool that is based on annual inflation rates since the fee structure was last updated in January 2008. The following table summarizes the last fees update and newly proposed fees for January 2019:

<i>Chapter 79 Permit</i>	<i>2008</i>	<i>2019 (proposed)</i>
Snapping Turtle Permit—Resident	\$50	\$60
Snapping Turtle Permit—Non Resident	\$100	\$120
Venomous Snake—Resident	\$25	\$30
Venomous Snake—Non Resident	\$50	\$60
Organized Reptile and Amphibian Hunt	\$100	\$120

The Commission therefore amends §§ 71.7 and 79.5–79.7 to read as set forth at 48 Pa.B. 5493 (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 impact on the Commonwealth or its political subdivisions. The amendments to § 71.7 will increase the triploid grass carp permit fee from \$75 to \$85. The amendments to § 79.5 will increase the snapping turtle permit from \$50 to \$60 for residents of this Commonwealth and from \$100 to \$120 for nonresidents. The amendment to § 79.6 will increase the venomous snake permit from \$25 to \$30 for residents of this Commonwealth and from \$50 to \$60 for nonresidents. The amendment to § 79.7 will increase the organized reptile and amphibian hunt permit fee from \$100 to \$120.

H. Public Comments

Notice of proposed rulemaking was published at 48 Pa.B. 5493. The Commission received no public comment.

Findings

The Commission finds that:

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

(2) A public comment period was provided, and no public comments were received.

(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 Chapters 71 and 79, are amended by amending §§ 71.7 and 79.5—79.7 to read as set forth at 48 Pa.B. 5493.

(B) The Executive Director will submit this order and 48 Pa.B. 5493 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. 5493 and deposit them with the Legislative Reference Bureau as required by law.

(D) This order shall take effect on January 1, 2019.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: Fiscal Note 48A-287 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 18-1930. Filed for public inspection December 14, 2018, 9:00 a.m.]

PROPOSED RULEMAKING

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) proposes to amend Chapter 65 (relating to special fishing regulations) to read as set forth in Annex A. 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 list of waters subject to special regulations.

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 amendment to § 65.24 (relating to miscellaneous special regulations) are published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

D. *Purpose and Background*

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

E. *Summary of Proposal*

Chapman Dam Reservoir, a 67.95-acre impoundment owned by the Department of Conservation and Natural Resources, is located within Chapman State Park, Pleasant Township, Warren County, approximately 6 miles south of the City of Warren. This reservoir was completely dewatered during fall 2017 to remove sediment and complete control tower, dam and spillway repairs and modifications per Department of Environmental Protection dam safety standards. The earth-fill dam, constructed in 1949, impounds the West Branch Tionesta Creek at river-mile 14.7 upstream from its confluence with Tionesta Creek at river-mile 40.3. Prior to the drawdown in 2017, the lake offered angling opportunities for multiple warm-water and cool-water fish species, as well as adult trout stocked by the Commission. Sediment removal and dam and spillway repairs are expected to be completed by December 2018 with refilling initiated soon after.

The Commission plans to initiate stocking the lake beginning in spring 2019 with fingerling plants of select fish species to establish a high quality warm-water and cool-water fishery. Immediately upon refilling of the lake, staff propose to open the lake to fishing under a miscellaneous special regulation that will allow for the harvest of trout under Commonwealth Inland Waters angling regulations but allow only catch and release fishing for all other fish species. Staff believe that this approach will allow for the most rapid development of a balanced warm-water and cool-water fish community, while offering acceptable levels of recreational angling opportunities. Fisheries Management staff will monitor the fish populations as needed while they develop and make necessary modifications to the species stocked and recommend adjustments to the regulations governing fish harvest to the Board of Commissioners to continually provide high quality recreational angling opportunities at Chapman Dam Reservoir. Once the warm-water fishery has been reestablished, the lake will be recommended for removal from the miscellaneous special regulation and inclusion in one of the Commission's existing warm-water regulation programs.

The Commission proposes that § 65.24 be amended 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 have no adverse fiscal impact on the Commonwealth or its political subdivisions.

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/regcomments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

TIMOTHY D. SCHAEFFER,
Executive Director

Fiscal Note: 48A-288. No fiscal impact; (8) recommends adoption.

PROPOSED RULEMAKING

Annex A

TITLE 58. RECREATION

PART II. FISH AND BOAT COMMISSION

Subpart B. FISHING

CHAPTER 65. SPECIAL FISHING REGULATIONS

§ 65.24. Miscellaneous Special Regulations.

The following waters are subject to the following miscellaneous special regulations:

<i>County</i>	<i>Name of Water</i>	<i>Special Regulations</i>
*****	*****	*****
Warren	Allegheny River—8.75 miles downstream from the outflow of the Allegheny Reservoir to the confluence with Conewago Creek	Trout—minimum size limit—14 inches; daily creel limit—2 trout per day (combined species) from 8 a.m. on the first Saturday after April 11 through midnight Labor Day, except during the period from the day after Labor Day to the first Saturday after April 11 of the following year, when no trout may be killed or had in possession. Other inland seasons, sizes and creel limits apply.
<u>Warren</u>	<u>Chapman Dam Reservoir</u>	<u>All species except trout—catch and release/no harvest; it is unlawful to take, kill or possess any fish except trout. All fish caught other than trout must be immediately returned unharmed.</u> <u>Trout—inland regulations apply. See § 61.1 (relating to Commonwealth inland waters). This miscellaneous special regulation will remain in effect until further notice.</u>
Washington	Chartiers Creek from Canonsburg Lake Dam approximately 1/2 mile downstream to mouth of Chartiers Creek	Fishing is prohibited from 12:01 a.m. March 1 to 8 a.m. the first Saturday after April 11.
*****	*****	*****

[Pa.B. Doc. No. 18-1931. Filed for public inspection December 14, 2018, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending December 4, 2018.

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

BANKING INSTITUTIONS

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-5-2018	EJF-Sidecar Fund, Series, LLC—Small Financial Equities Series EJF Capital, LLC Arlington, VA Application for approval to acquire more than 5% of the common stock of LINKBANCORP, Inc., Camp Hill.	Effective

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-30-2018	Northwest Bancshares, Inc. Warren Warren County Application for approval to acquire 100% of Donegal Financial Services Corporation, Marietta, and thereby indirectly acquire 100% of Union Community Bank, Mount Joy.	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
11-28-2018	Brentwood Bank Bethel Park Allegheny County Application for approval to merge Union Building and Loan Savings Bank, West Bridgewater, with and into Brentwood Bank, Bethel Park.	Approved
11-30-2018	Northwest Bank Warren Warren Application for approval to merge Union Community Bank, Mount Joy, with and into Northwest Bank, Warren.	Approved

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-04-2018	InFirst Bank Indiana Indiana County	340 Waugaman Road Harrison City Westmoreland County	Filed

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. 18-1932. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of January 2019

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P.L. 13, No. 6) (41 P.S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of January 2019, is 5 3/4%.

The interest rate limitations under the Commonwealth's usury statute were pre-empted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub.L. No. 96-221). Further pre-emption was instituted with the signing of Pub.L. No. 96-399, which overrode State interest rate

limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board or the United States Treasury, or both. The latest yield rate on long-term government securities is 3.25 to which was added 2.50 percentage points for a total of 5.75 that by law is rounded off to the nearest quarter at 5 3/4%.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 18-1933. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0028495 (Industrial)	FedChem, LLC 275 Keystone Drive Bethlehem, PA 18020	Northampton County Lower Nazareth Township	Monocacy Creek (02C)	Yes
PA0044709 A-1 (Sewage)	B'nai B'rith Perlman Camp Wastewater Treatment Plant 11820 Parklawn Drive Suite 380 Rockville, MD 20852-2556	Wayne County Buckingham Township	Shehawken Creek (1-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0248061 (SEW)	Jefferson/Codorus Joint Sew Auth P.O. Box 223 Codorus, PA 17311	York County/ Codorus Twp	UNT Codorus Creek	Y
PA0084051 (SEW)	Creekview MHP Scott Lupfer 280 Airy View Road Shermans Dale, PA 17090	Perry County/ Carroll Twp	Shermans Creek/7A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0090514 (Sewage)	Gulick MHP 106 Beatty Drive Saxonburg, PA 16056-9520	Butler County Winfield Township	Unnamed Tributary of Buffalo Creek (18-F)	Yes
PA0033073 (Sewage)	PA DOT Rest Area 26 Pa Dot Maint & Opr Bureau P.O. Box 3060 Harrisburg, PA 17105-3060	Jefferson County Washington Township	Fivemile Run (17-C)	Yes
PA0033049 (Sewage)	PA DOT Rest Area 25 Bureau of Maintenance & Operations P.O. Box 3060 Harrisburg, PA 17105	Jefferson County Pine Creek Township	Unnamed Tributary to the Fivemile Run (17-C)	Yes

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

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

PA0052078, Sewage, SIC Code 4952, **Municipal Authority of the Borough of Elverson**, 101 South Chestnut Street, P.O. Box 266, Elverson, PA 19520-0266. Facility Name: Elverson Borough Municipal Authority STP. This existing facility is located in Elverson Borough, **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, Unnamed Tributary to East Branch Conestoga River, is located in State Water Plan watershed 7-J 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 .125 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .125 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average	Daily Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	26	40	XXX	25	38	50
May 1 - Oct 31	16	24	XXX	15	23	30
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	31	47	XXX	30	45	60
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	4.7	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	1.6	XXX	XXX	1.5	XXX	3
Total Phosphorus	2.1	XXX	XXX	2.0	XXX	4

Sludge use and disposal description and location(s): Hauling away by Ink's Disposal Services, Inc.

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Small Stream Discharge
- E. Operator Notifications
- F. Solids Management
- G. Chesapeake Bay Nutrient Definitions

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

The EPA Waiver is not in effect.

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

PA0029017, Sewage, SIC Code 4952, **Schuylkill Haven Municipal Authority**, 333 Center Avenue, Schuylkill Haven, PA 17972. Facility Name: Schuylkill Haven Municipal Authority WWTP. This existing facility is located in Schuylkill Haven Borough, **Schuylkill 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, the Schuylkill River, is located in State Water Plan watershed 3-A 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 2.8 MGD.

(From Permit Effective Date to Permit Expiration Date)

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	584	934	XXX	25.0	40.0	50.0
Total Suspended Solids	701	1,050	XXX	30.0	45.0	60.0
Fecal Coliform (No./100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	374	XXX	XXX	16.0	XXX	32.0
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Manganese, Total	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Influent Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	Avg Qrtly Report	XXX	XXX
Influent Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.8 MGD.

(From Permit Effective Date to 3 Years After Permit Effective Date)

<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 Residual Chlorine (TRC)	XXX	XXX	XXX	0.50	XXX	1.76

The proposed effluent limits for Outfall 001 are based on a design flow of 2.8 MGD.

(From 3 Years After Permit Effective Date to Permit Expiration Date)

<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 Residual Chlorine (TRC)	XXX	XXX	XXX	0.32	XXX	1.07

Sludge use and disposal description and location(s): As per the most recently submitted Sewage Sludge/Biosolids Production and Disposal supplemental DMR form (for September 2018), biosolids are hauled to Natural Soil Products for composting. Natural Soil Products is also the hauler.

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

- POTW Pretreatment Program Implementation
- Solids Management
- Whole Effluent Toxicity (WET)
- Requirements for Total Residual Chlorine (TRC)
- PCB Monitoring

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

The EPA Waiver is not in effect.

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

PA0029866, Sewage, SIC Code 8211, **Cumberland Valley School District**, 6746 Carlisle Pike, Mechanicsburg, PA 17050-1796. Facility Name: Green Ridge Elementary School. This existing facility is located in Silver Spring Township, **Cumberland 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 Conodoguinet Creek, is located in State Water Plan watershed 7-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 .0065 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report 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)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen Oct 1 - Apr 30	XXX	XXX	XXX	Report	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	10.5	XXX	21

The proposed effluent limits for Outfall 001 are based on a design flow of .0065 MGD.—Limits.

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

Sludge use and disposal description and location(s): Solids generated from this facility will be hauled off site via a local hauler to another facility for ultimate disposal.

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

The EPA Waiver is in effect.

PA0081523, Sewage, SIC Code 8059, **Dowlut Mohammad N**, 215 Union Avenue, Altoona, PA 16602-3247. Facility Name: Blair Chalet. This existing facility is located in Blair Township, **Blair 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), Frankstown Branch Juniata River, is located in State Water Plan watershed 11-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0065 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily 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	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

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

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

- Stormwater Prohibition
- Approval Contingencies
- Proper Waste/solids Management
- Collected screenings, slurries, sludges and solids management
- Chlorine Minimization

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.

PA0081311, Sewage, SIC Code 4952, **South Londonderry Township Municipal Authority Lebanon County**, P.O. Box 3, Campbelltown, PA 17010-0003. Facility Name: South Londonderry Colebrook STP. This existing facility is located in South Londonderry Township, **Lebanon County**.

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

The receiving stream(s), Conewago Creek, is located in State Water Plan watershed 7-G 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 .044 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	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX Daily Max	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	9.2	14.7	XXX	25	40	50
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	11	16.5	XXX	30	45	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
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	5.5	XXX	XXX	15.0	XXX	30
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	0.73	XXX	XXX	2.0	XXX	4
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
(lbs)	Total Mo					

The proposed effluent limits for Outfall 001 are based on a design flow of .044 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Phosphorus (Total Load, lbs)	XXX	268	XXX	XXX	XXX	XXX
(lbs)		Total Annual				

Sludge use and disposal description and location(s): Digested sludge is land applied or hauled to Manheim or Capital Region Water by a license hauler (JG Environmental).

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

- Stormwater Prohibition
- Approval Contingencies
- Proper Waste/solids Management
- Restriction on receipt of hauled in waste under certain conditions
- Batch discharge condition

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.

PAS203504, Storm Water, SIC Code 3444, **Contech Engineered Solutions LLC**, 9025 Centre Pointe Drive, Suite 400, West Chester, OH 45069-4987. Facility Name: Contech Engineered Solutions Greencastle. This existing facility is located in Greencastle Borough, **Franklin County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of stormwater associated with industrial activity.

The receiving stream(s), Unnamed Tributary to Muddy Run, is located in State Water Plan watershed 13-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

- Stormwater Outfalls and Authorized Non-Stormwater Discharges
- Best Management Practices (BMP), including applicable BMPs from Appendix U from the PAG-03
- Routine Inspections
- Preparedness, Prevention and Contingency (PPC) Plan
- Stormwater Monitoring Requirements (including Benchmarks for TSS)
- Other Requirements

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.

Application No. PA0248274, Concentrated Animal Feeding Operation (CAFO), **Doug Wolgemuth (Woglemuth Farview Farms CAFO)**, 1197 Landis Road, Elizabethtown, PA 17022.

Woglemuth Doug has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Woglemuth Farview Farms CAFO, located in Mount Joy Borough, **Lancaster County**.

The CAFO is situated near Unnamed Tributary of Donegal Creek in Watershed 7-G, which is classified for Cold Water Fishes and Migratory Fishes. The CAFO is designed to maintain an animal population of approximately 987.28 animal equivalent units (AEU) consisting of 7,200 pigs. Manure is stored in two underbarn manure storages. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

PA0271799, Sewage, SIC Code 8800, **Mari Swart**, 596 Allison Road, Seneca, PA 16346. Facility Name: Mari Swart SRSTP. This proposed facility is located in Cranberry Township, **Venango 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 Sage Run, is located in State Water Plan watershed 16-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 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
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

Sludge use and disposal description and location(s): Septage must be pumped and hauled off-site by a septage hauler for land application under a general permit authorized by PADEP or disposal at an STP.

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.

PA0271888, Sewage, SIC Code 4952, 8800, **Sean Gill**, 154 Quarry Road, Greenville, PA 16125. Facility Name: Sean Gill SRSTP. This proposed facility is located in Delaware Township, **Mercer County**.

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

The receiving stream is an Unnamed Tributary to Lawango Run, located in State Water Plan watershed 20-A and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report Avg Mo	XXX	XXX

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.

PA0271896, Sewage, SIC Code 4952, 8800, **James McLusky**, 718 Greenfield Road, Mercer, PA 16137. Facility Name: James McLusky SFTF. This proposed facility is located in Lackawannock Township, **Mercer County**.

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

The receiving stream is an unnamed tributary to the West Branch Little Neshannock Creek, located in State Water Plan watershed 20-A and classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0008 MGD.

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

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.

PA0271900, Sewage, SIC Code 4952, 8800, **Edward W Dunkerley Jr**, 7621 Stewart Sharon Road, Masury, OH 16214. Facility Name: Edward W Dunkerley Jr SRSTP. This proposed facility is located in Highland Township, **Clarion County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .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
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

Sludge 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.

PA0101923, Sewage, SIC Code 4952, **Saegertown Borough Area Sewer Authority**, P.O. Box 334, Saegertown, PA 16433-0334. Facility Name: Saegertown Area STP. This existing facility is located in Saegertown Borough, **Crawford County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.491 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	102	163	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	123	184	XXX	30	45	60
Fecal Coliform (No./100 ml)						
Nov 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Oct 31	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	8.2	XXX	XXX	2	XXX	4
Chloride	XXX	XXX	XXX	Report	XXX	XXX
Nickel, Total	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

Sludge use and disposal description and location: Aerobic digestion with disposal of solids to a landfill.

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

- Chlorine Minimization
- Solids Handling
- Chloride & Ammonia-Nitrogen Pollutant Reduction Evaluation

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

The EPA Waiver is not in effect.

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

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

WQM Permit No. 1518412, Sewage, **West Goshen Sewer Authority**, 1025 Paoli Pike, West Chester, PA 19380.

This proposed facility is located in West Goshen Township, **Chester County**.

Description of Action/Activity: Installation of a CoMAG phosphorus removal system involving the demolition of an existing unused trickling filter. Replacement of the current dewatering process with a volute screw press & polmer system.

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

WQM Permit No. 0374402 A-2, Sewage, **Ford City Borough Municipal Authority**, P.O. Box 66, Ford City, PA 16226-0066.

This existing facility is located in Ford City Borough, **Armstrong County**.

Description of Proposed Action/Activity: replacement of existing comminutor with a combination comminutor and mechanical screen.

WQM Permit No. 0417201 A-1, Industrial, **Shell Chemical Appalachia LLC**, 300 Frankfort Road, Monaca, PA 15601.

This existing facility is located in Potter Township, **Beaver County**.

Description of Proposed Action/Activity: Construction and operation of an equalization tank as part of the industrial waste treatment plant.

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

WQM Permit No. 4300404 A-2, Sewage, **Jamestown Borough Municipal Authority Mercer County**, P.O. Box 188, Jamestown, PA 16134-0188.

This existing facility is located in Jamestown Borough, **Mercer County**.

Description of Proposed Action/Activity: Improvements to Jamestown wastewater treatment plant and replacement of Liberty Street pump station.

IV. NPDES Individual Permit Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s).

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

PAI136139, MS4, **Municipality of Mount Lebanon**, 710 Washington Road, Pittsburgh, PA 15228-2018. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Municipality of Mount Lebanon, **Allegheny County**. The receiving streams, Painters Run, Scrubgrass Run, Unnamed Tributary to Chartiers Creek and Unnamed Tributary to Sawmill Run, are located in State Water Plan watershed 20-F and are classified for Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)
- A Total Maximum Daily Load (TMDL) Plan

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

PAI136118, MS4, **South Strabane Township**, 550 Washington Road, Washington, PA 15301-9621. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in South Strabane Township, **Washington County**. The receiving stream, Unnamed Tributaries of Chartiers Creek and Chartiers Creek, are located in State Water Plan watershed 20-F and are classified for Warm Water Fishes and High Quality Waters—Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan(s) with the application to reduce pollutant loads to impaired waters:

- A Pollutant Reduction Plan (PRP)

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA waiver is in effect for small MS4s, and is not in effect for large MS4s.

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

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>
PAD390103	ANR III LLC 4500 Falmer Dr Bethlehem, PA 18020	Lehigh	Upper Macungie Twp	Schaefer Run (HQ-CWF, MF)
PAD390107	Posocco Properties 2610 Walbert Ave Allentown, PA 18104	Lehigh	Upper Macungie Twp Whitehall Twp	UNT to Jordan Creek (HQ-CWF, MF) Little Cedar 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>
PAD450064	CRE Bushkill Group LLC P.O. Box 447 Bushkill, PA 18324	Monroe	Middle Smithfield Twp	Sand Hill Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480073	Carl Helman Country Meadows Assoc 830 Cherry Dr Hershey, PA 17033-2007	Northampton	Forks Twp	Bushkill Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD670029	PA DOT Engineering District 8-0 2140 Herr Street Harrisburg, PA 17103	York & Adams	Carroll, Franklin, Huntington & Latimore Townships	Garder Run (WWF) UNT Latimore Creek (CWF-MF) UNT North Branch Bermudian Creek (WWF)

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

Union County Conservation District: Union County Government Center, 155 North 15th Street, Lewisburg, PA 17837, (570) 524-3860.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD60004	Pennsylvania American Water Company Dean Kirkendall 852 Wesley Drive Mechanicsburg, PA 17055-4436	Union	White Deer Twp.	White Deer Creek (CWF, MF, HQ, WWF, MF)

Sullivan County Conservation District: RR 2, Box 2022B, Dushore, PA 18614, (570) 928-7057.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD57001	Department of Conservation of Natural Resources Rachel Carson Building Harrisburg, PA 17105	Sullivan	Fox Township	West Branch Mill Creek (HQ, CWF)

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

PAG-12	CAFOs
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CAFO Notices of Intent Received.

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

NPDES Permit No. PA0233552, CAFO, Hiller Todd, 84 Hiller Lane, Allenwood, PA 17810-9224.

This existing facility is located in Gregg Township, **Union County**.

Description of size and scope of existing operation/activity: Swine (Finishing), Beef (Finishing): 601.6 AEU's.

The receiving stream, Spring Creek, is in watershed 10-C and classified for: Migratory 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.

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality/County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133699	West Cornwall Township Lebanon County 73 S Zinns Mill Road Lebanon, PA 17042-9551	West Cornwall Township Lebanon County	Y	N

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136265	Hanover Township 11 Municipal Drive Burgettstown, PA 15021-2277	Hanover Township Washington County	Y	N
PAG136132	Dunlevy Borough P.O. Box 18 Dunlevy, PA 15432-0018	Dunlevy Borough Washington County	Y	N
PAG136213	Houston Borough 42 Western Avenue Houston, PA 15342-1551	Houston Borough Washington County	N	Y

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG138343	Sharon City Mercer County 155 West Connelly Boulevard Sharon, PA 16146-1717	Sharon City Mercer County	N	Y

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).

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

Permit No. 0218533, Public Water Supply.

Applicant	West Penn Allegheny Health System, Inc. 1301 Carlisle Street Natrona Heights, PA 15065
[Township or Borough]	Natrona Heights

Responsible Official Janice Wirth, VP of Operations
West Penn Allegheny Health System, Inc.
1301 Carlisle Street
Natrona Heights, PA 15065

Type of Facility Allegheny Valley Hospital

Consulting Engineer Wayne F. Jacobs, PE
1914 Mt. Royal Boulevard
Glenshaw, PA 15110

Application Received Date October 2, 2018

Description of Action Installation of secondary disinfection at Allegheny Valley Hospital.

Permit No. 0218532, Public Water Supply.

Applicant **West Penn Allegheny Health System, Inc.**
4800 Friendship Avenue
Pittsburgh, PA 15224

[Township or Borough] City of Pittsburgh

Responsible Official Robin Zernich, VP of Operations and Medical Services
West Penn Allegheny Health System, Inc.
4800 Friendship Avenue
Pittsburgh, PA 15224

Type of Facility West Penn Hospital

Consulting Engineer Wayne F. Jacobs, PE
1914 Mt. Royal Boulevard
Glenshaw, PA 15110

Application Received Date September 7, 2018

Description of Action Installation of secondary disinfection at West Penn Hospital.

Permit No. 6318505, Public Water Supply.

Applicant **West Penn Allegheny Health System, Inc.**
100 Medical Boulevard
Canonsburg, PA 15317

[Township or Borough] City of Pittsburgh

Responsible Official Brad Grosteffon, Chief Financial Officer
West Penn Allegheny Health System, Inc.
100 Medical Boulevard
Canonsburg, PA 15317

Type of Facility Canonsburg Hospital

Consulting Engineer Wayne F. Jacobs, PE
1914 Mt. Royal Boulevard
Glenshaw, PA 15110

Application Received Date November 7, 2018

Description of Action Installation of secondary disinfection at Canonsburg Hospital.

Permit No. 0218537, Public Water Supply.

Applicant **West Penn Allegheny Health System, Inc.**
320 East North Avenue
Pittsburgh, PA 15202

[Township or Borough] City of Pittsburgh

Responsible Official Duke Rupert, Chief Operations Officer
West Penn Allegheny Health System, Inc.
320 East North Avenue
Pittsburgh, PA 15202

Type of Facility Suburban Hospital

Consulting Engineer Wayne F. Jacobs, PE
1914 Mt. Royal Boulevard
Glenshaw, PA 15110

Application Received Date November 13, 2018

Description of Action Installation of secondary disinfection at Suburban Hospital.

Permit No. 0218538, Public Water Supply.

Applicant **West Penn Allegheny Health System, Inc.**
565 Coal Valley Road
Jefferson Hills, PA 15025

[Township or Borough] Jefferson Hills

Responsible Official Brad Grosteffon, Chief Financial Officer
West Penn Allegheny Health System, Inc.
565 Coal Valley Road
Jefferson Hills, PA 15025

Type of Facility Jefferson Hospital

Consulting Engineer Wayne F. Jacobs, PE
1914 Mt. Royal Boulevard
Glenshaw, PA 15110

Application Received Date November 16, 2018

Description of Action Installation of secondary disinfection at Jefferson Hospital.

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

Permit No. 4618518, Public Water Supply.

Applicant **PA American Water Company**
800 West Hershey Park Drive
Hershey, PA 17033

Borough Norristown

County **Montgomery**

Responsible Official David Kaufman
PA American Water Company
800 West Hershey Park Drive
Hershey, PA 17033

Type of Facility PWS
 Consulting Engineer Gannett Fleming, Inc.
 P.O. Box 67100
 Harrisburg, PA 17106
 Application Received November 30, 2018
 Date
 Description of Action Construction permit for the
 installation of a new UV vault
 and modifications to existing
 chemical feed systems.

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

**Application No. 1418502—Construction—Public
 Water Supply.**

Applicant **Madisonburg Water Works**
 Township/Borough Miles Township
 County **Centre County**
 Responsible Official Mr. Timothy Clouser
 250 Madisonburg Pike
 Madisonburg, PA 16852
 Type of Facility Public Water Supply
 Consulting Engineer Mr. Michael J. Peleschak, PE
 Alfred Benesch & Company
 400 One Norwegian Plaza
 Pottsville, PA 17901
 Application Received 11/02/2018
 Description of Action Authorizes the revision to treat
 for lead and copper levels.

MINOR AMENDMENT

**Applications Received Under the Pennsylvania Safe
 Drinking Water Act.**

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

Application No. 0218536MA, Minor Amendment.

Applicant **Pittsburgh Water & Sewer
 Authority**
 1200 Penn Avenue
 Pittsburgh, PA 15222
 [Township or Borough] City of Pittsburgh
 Responsible Official Robert Weimer, Executive
 Director
 Pittsburgh Water & Sewer
 Authority
 1200 Penn Avenue
 Pittsburgh, PA 15222
 Type of Facility Water system
 Consulting Engineer Johnson, Mirmiran & Thompson
 Marquis Corporate Center Two
 Suite 100
 5313 Campbells Run Road
 Pittsburgh, PA 15205
 Application Received November 16, 2018
 Date
 Description of Action Installation of waterline along
 South Millvale and Hamilton
 Avenues.

Application No. 0418530MA, Minor Amendment.

Applicant **Creswell Heights Joint
 Authority**
 3961 Jordan Street
 Box 301
 South Heights, PA 15081
 [Township or Borough] South Heights Township
 Responsible Official Dan Losco, General Manager
 Creswell Heights Joint Authority
 3961 Jordan Street
 Box 301
 South Heights, PA 15081
 Type of Facility Water system
 Consulting Engineer KLH Engineers, Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205
 Application Received November 21, 2018
 Date
 Description of Action Installation of approximately
 1,900 feet of 8-inch diameter
 waterline and appurtenances
 (Spring Run Road waterline
 project).

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

Application No. 4292501-MA2, Minor Amendment.

Applicant **Bradford City Water
 Authority**
 Township or Borough Bradford City
 County **McKean County**
 Responsible Official Steve Disney
 Type of Facility Public Water Supply
 Consulting Engineer David Fischman
 Bankson Engineers Inc.
 257 Blue Run Road
 Cheswick, PA 15024
 Application Received November 28, 2018
 Date
 Description of Action Install tank mixing system in
 Foster Hollow Water Tank

**LAND RECYCLING AND
 ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995
 PREAMBLE 1**

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

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

2740 Amber Street, 2740 Amber Street, City of Philadelphia, **Philadelphia County**. Christopher Zeliznak, PG, EnviroSure, Inc., 319 South High Street, First Floor, West Chester, PA 19382 on behalf of Jordan Brody, Amber Street Holdings, LLC, 107-109 South 13th Street, 3B, Philadelphia, PA 19107 submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of VOCs, SVOCs and metals. The proposed future use of the site is residential. The Notice of Intent to Remediate was published in the *Metro* on October 22, 2018.

Marcus Hook Pump Station, 1111 West Ridge Road, Lower Chichester Township, **Delaware County**. Bernard Beegle, Advance GeoServices Corporation, 1055 Andrew Drive, Suite A, West Chester, PA 19380 on behalf of John Lawrence, SCE Environmental Group, 1380 Mt. Cobb Road, Lake Ariel, PA 18436 submitted a Notice of Intent to Remediate. Soil has been contaminated with the release of No. 2 and No. 6 fuel oil. The proposed future use of the subject property is non-residential and will be

used as part of the transportation of natural gas. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on October 26, 2018.

Asam Residence, 503 Shoemaker Road, Cheltenham Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associated, Inc., 135 Old Plains Road, Pennsburg, PA 18073 on behalf of Ernest David, State Farm Insurance, P.O. Box 10619, Atlanta, GA 30348-6169 submitted a Notice of Intent to Remediate. Soil at the site has been contaminated with the release of No. 2 fuel oil. The current use and proposed future use of the property is residential. The Notice of Intent to Remediate was published in the *Times Chronicle/Glenside News* on April 2, 2018.

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

Something Fishy, 511 East 21st Street, Northampton Borough, **Northampton County**. Compliance Management International, on behalf Paul & Ethel Bahnick Irrevocable Agreement of Trust et al, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an underground storage tank. Future use of the site will be non-residential. Statewide Health remediation standards are planned for this site. The Notice of Intent to Remediate was published in *The Press Group Newspapers* on November 26, 2018.

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

Former Hershey Laundry & Dry-Cleaning, 115 Rear, West Chocolate Avenue, Hershey, PA 17033, Derry Township, **Dauphin County**. Hydro-Terra Group, 7420 Derry Street, Harrisburg, PA 17111, on behalf of Hershey Entertainment & Resorts Company, 27 West Chocolate Avenue, Hershey, PA 17033, and Township of Derry Industrial Commercial Development Authority, 600 Clearwater Road, Hershey, PA 17033, submitted a Notice of Intent to Remediate site groundwater contaminated with chlorinated solvents. The site will be remediated to the Site-Specific Standard. Future use of the site is to remain as public parking. The Notice of Intent to Remediate was published in the *The Patriot News* on November 8, 2018.

1505 North George Street, 1501 North George Street, York, PA 17404, Manchester Township, **York County**. Liberty Environmental, Inc., 505 Penn Street, Reading, PA 19601, on behalf of Molt, LLC, P.O. Box 20316, York, PA 17402, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with leaded and unleaded gasoline. The site will be remediated to the Site-Specific Standard. Future use of the site is to be used for non-residential purposes. The Notice of Intent to Remediate was published in the *York Daily Record* on November 13, 2018.

Dwight Wagner Property, 631 Scotland Road, Quarryville, PA 17566, East Drumore Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Dwight Wagner, 1250 Lampeter Road, Lancaster, PA 17602, submitted a Notice of Intent to Remediate soil contaminated with unleaded gasoline. The site will be remediated to the Residential Statewide Health Standard. Future use of the site will continue to be used for residential purposes. The Notice of Intent to Remediate was published in the *LNP* on November 12, 2018.

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

Claudia BRA Pad, 13825 Route 187, Wyalusing, Terry Township, **Bradford County**. Leidos Inc, 6310 Allentown Blvd, Suite 110, Harrisburg, PA 17112, on behalf of Chesapeake Appalachia, LLC, 330 N. 2nd Street, 5th Floor, Harrisburg, PA 17101, has submitted a Notice of Intent to Remediate site soil contaminated with inorganics. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in *The Daily Review*.

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

Crawford Property, 3716 Stevenson Hill Road, Washington Township, **Jefferson County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of Althea Crawford, 3716 Stevenson Hill Road, Falls Creek, PA 15840, submitted a Notice of Intent to Remediate. During a storage tank refill, approximately 700 gallons of heating oil were released onto the basement floor, travelled across the floor into a floor drain, continuing through a subsurface drain line and discharged into a drainage swale. The Statewide Health Standard has been selected for remediation of the site. Intended future use of the property will be residential. The Notice of Intent to Remediate was published in the *Courier Express* on November 18, 2018.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Applications received, withdrawn, denied or returned under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

PAD003047792. American Color & Chemical LLC, Mount Vernon Street, P.O. Box 88, City of Lock Haven, **Clinton County**. As required by 25 Pa. Code § 270a.80(d)(2), the Department is providing public notice of a draft Hazardous Waste Post-Closure Care Draft Permit Modification prepared for the American Color & Chemical, LLC facility located in the City of Lock Haven, Clinton County. This permit will allow modifications to the facility groundwater monitoring program.

Persons wishing to comment on the draft permit are invited to submit a statement to the Northcentral Regional Office within 45 days from the date of this public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address, and telephone number of the writer and a concise statement of the exact basis of any comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

In the event DEP receives written notice of opposition to the draft permit and a request for a public hearing within the comment period previously referenced, a hearing shall be scheduled. Public notice of the public hearing shall be given at least 30 days before the hearing. Any requests for a public hearing accompanied by written

opposition to the draft permit should be addressed to Lisa D. Houser, PE, Environmental Engineer Manager, at the following address.

When making a determination regarding the issuance of a hazardous waste permit to American Color & Chemical, LLC, DEP will consider all written comments received during the comment period, any oral or written testimony received during the public hearing (if requested), the requirements of the hazardous waste regulations at 25 Pa. Code Chapters 260a—270a and 40 CFR 260—270 and the DEP's permitting policies.

At the time that a permit is issued, DEP also will issue a response to comments. This response will specify any provisions of the draft permit which were changed in the final permit decision and the reasons for the change. DEP will prepare a response to all significant comments on the draft permit that are raised during the public comment period or during any hearing. DEP will make the response available to the public as required in 25 Pa. Code 270a.10(c)(14).

Following the 45-day comment period and/or public hearing, the Department will make a final determination regarding the proposed permit action. Notice of this action will be published in the *Pennsylvania Bulletin*, at which time this determination may be appealed to the Environmental Hearing Board.

Further information on the application and draft permit are available by contacting Lisa D. Houser, PE, Environmental Engineer Manager, PA DEP Northcentral Regional Office, Waste Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, Phone (570)327-3752.

A copy of the permit application, draft permit and fact sheet are available for review at the Department's Northcentral Regional Office. File reviews may be scheduled by calling 570-327-3636. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

PAD003053758. Tecumseh Redevelopment, Inc., 4020 Kinross Lakes Parkway, Richfield, OH 44286-9000. As required by 25 Pa. Code § 270a.80(d)(2), the Department is providing public notice of a draft Hazardous Waste Post-Closure Care Draft Renewal Permit prepared for the Tecumseh Redevelopment, Inc. facility named Williamsport Hazardous Waste Impoundments located in the City of Williamsport, **Lycoming County**. This permit will allow for an additional ten (10) year permit term.

Persons wishing to comment on the draft permit are invited to submit a statement to the Northcentral Regional Office within 45 days from the date of this public notice. Comments received within this 45-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address, and telephone number of the writer and a concise statement of the exact basis of any comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

In the event DEP receives written notice of opposition to the draft permit and a request for a public hearing within the comment period previously referenced, a hearing shall be scheduled. Public notice of the public hearing shall be given at least 30 days before the hearing. Any requests for a public hearing accompanied by written opposition to the draft permit should be addressed to Lisa D. Houser, PE, Environmental Engineer Manager, at the following address.

When making a determination regarding the issuance of a hazardous waste permit to Tecumseh Redevelopment, Inc., DEP will consider all written comments received during the comment period, any oral or written testimony received during the public hearing (if requested), the requirements of the hazardous waste regulations at 25 Pa. Code Chapters 260a—270a and 40 CFR 260—270 and the DEP's permitting policies.

At the time that a permit is issued, DEP also will issue a response to comments. This response will specify any provisions of the draft permit which were changed in the final permit decision and the reasons for the change. DEP will prepare a response to all significant comments on the draft permit that are raised during the public comment period or during any hearing. DEP will make the response available to the public as required in 25 Pa. Code § 270a.10(c)(14).

Following the 45-day comment period and/or public hearing, the Department will make a final determination regarding the proposed permit action. Notice of this action will be published in the *Pennsylvania Bulletin*, at which time this determination may be appealed to the Environmental Hearing Board.

Further information on the application and draft permit are available by contacting Lisa D. Houser, PE, Environmental Engineer Manager, PA DEP Northcentral Regional Office, Waste Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701, Phone (570) 327-3752.

A copy of the permit application, draft permit and fact sheet are available for review at the Department's Northcentral Regional Office. File reviews may be scheduled by calling 570-327-3636. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

Application(s) 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 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 I.D. No. PA0890090004. U.S. Department of Energy Naval Reactors Laboratory Field Office, Post Office Box 109, West Mifflin, PA 15122. A Class 1 permit modification application for a change in facility operator from Bechtel Marine Propulsion Corporation to Fluor Marine Propulsion, LLC, for the Bettis Atomic Power Laboratory facility in West Mifflin Borough, **Allegheny County**, was deemed administratively complete by the Regional Office on November 30, 2018.

REGULATED MEDICAL WASTE GENERAL PERMITS

Application(s) Received for Permit Modification 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 Municipal Waste Regulations for a General Permit to Operate Regulated Medical and Chemotherapeutic Waste Processing Facilities.

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

General Permit Application No. WMGI005A. Merck Sharp and Dohme Corp., Westpoint Facility, 770 Sumneytown Pike, West Point, PA 19486. This permit authorizes the use of chemical and/or thermal inactivation to disinfect regulated medical waste generated in the production and research and development of pharmaceuticals. The modification to Merck Sharp and Dohme Corp.'s coverage under WMGI005A would authorize the installation and operation of additional regulated medical waste processing equipment that could disinfect an estimated 19,700—23,200 gallons of liquid regulated medical waste annually in addition to their currently permitted operation. The processing equipment is similar to existing regulated medical waste processing equipment used on-site. Disinfected effluent from the regulated medical waste processing equipment will be discharged to the sanitary sewer. The application was determined to be administratively complete on November 30, 2018.

Written comments concerning the application, and persons interested in reviewing the permit, should be directed to Chris Solloway, Group Manager, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGI005A" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

RESIDUAL WASTE GENERAL PERMITS

Application(s) Received for Permit Modification Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial use of Residual Waste other than Coal Ash.

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

General Permit No. WMGR148. Triumvirate Environmental of Pittsburgh, Inc. (TEP), 1092 Claridge Elliot Road, Jeannette, PA 15644, Penn Township, **Westmoreland County**. The general permit authorizes the processing of waste plastic, including processed regulated medical waste, non-halogenated plastic and halogenated plastic and the beneficial use of the resulting plastic lumber-like material. The modification to TEP's coverage under WMGR148 would authorize an increase in permitted area to include an adjacent 18,000 square foot warehouse. No additional waste processing activities and no increase in processing or storage capacity would be authorized by this modification. The application was determined to be administratively complete on November 21, 2018.

Persons interested in reviewing the application and/or submitting written comments concerning the application should be directed to Chris Solloway, Group Manager, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA

17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGR148" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 100361. McKean County Landfill, 19 Ness Lane, Kane, PA 16735; Sergeant Township, **McKean County**. Casella Waste Management of Pennsylvania, Inc. submitted a major permit modification to the existing municipal waste landfill permit on June 8, 2018. The application seeks to allow leachate trucking to a POTW as a primary leachate management option, and to increase the allowable over the road waste tonnage that can be delivered to the site from 1,000 tons per day to 2,000 tons per day. The incoming Average and Maximum Daily Waste Volumes will remain the same. The application was considered complete by the Northwest Regional Office on August 10, 2018.

Comments concerning the application should be directed to Christina Wilhelm, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the permit application may contact the Northwest Regional Office at (814)332-6848. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling

a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

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

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

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

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

PLAN APPROVALS

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

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

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

54-00054A: Commonwealth Environmental Systems, L.P. Landfill (P.O. Box 332, 99 Commonwealth Road, Hegins, PA 17938) for the installation and operation of one (1) landfill gas flare (incinerator) at the existing landfill located in Foster, Frailey and Reilly Twps., **Schuylkill County**.

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

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

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

46-0288A: Anderson Prints, LLC (601 General Washington Avenue, Norristown, PA 19403) for installation of two (2) rotary printing presses at an existing facility located in West Norriton Township, **Montgomery County**. The potential to emit Volatile Organic Compound (VOC) and Hazardous Air Pollutant (HAP) emissions is less than 25 tons per year VOC and any combination HAP and less than 10 tons per year any individual HAP; the facility is classified as a Synthetic Minor Facility. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

54-00041B: Silberline Manufacturing Co., Inc. (130 Lincoln Drive, Tamaqua, PA 18252) to construct a new manufacturing process for waterborne pigments with control devices at their facility in Rush Township, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval to Silberline Manufacturing Co., Inc. (130 Lincoln Drive, Tamaqua, PA 18252) to construct a new manufacturing process for waterborne pigments with control devices. The facility currently operates under Title V Operating Permit No. 54-00041. Plan approval 54-00041B will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 54-00041B is for installation of a new manufacturing process for waterborne pigments including the following control equipment. One (1) new ammonia wet scrubber and one (1) new Particulate Matter (PM) condenser are to be installed. VOC emission increases from this source are not to exceed 8.91 tons/year. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.:

54-00041B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

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

Contact: Ed Orris, PE, New Source Review Chief—Telephone: 412-442-4168.

32-00428B: Creps United Publications, LLP (1163 Water Street, Indiana, PA 15701) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44—127.46 that the Department of Environmental Protection (DEP) intends to issue Air Quality Plan Approval: PA-32-00428B to replace authorization PA-32-00428A and allow for the construction and temporary operation of a new commercial printing facility including four heatset web offset lithographic printing presses controlled by two regenerative thermal oxidizers and to be located at the Windy Ridge Industrial Park in White Township, **Indiana County**.

Potential to emit from the facility is estimated to be 49.08 tons of volatile organic compounds (VOC), 7.61 tons of ethylene glycol, 0.23 ton of naphthalene, 8.13 tons of total hazardous air pollutants (HAP), 15.6 tons of nitrogen oxides (NO_x), 13.1 tons of carbon monoxide (CO), 1.19 ton of particulate matter (PM), 0.09 ton of sulfur dioxide (SO₂), and 18,753 tons of carbon dioxide equivalents (CO₂e) per year. Best available technology (BAT) for the operation of heatset web offset lithographic printing presses is emissions capture and destruction by regenerative thermal oxidizers, use of low VOC content fountain solution and low vapor pressure cleaning solvent, and good work practices. Work practices include operating press dryers at a negative pressure relative to the press room, minimizing the use of manual cleaning solvent, and keeping cleaning solvent and used cleaning rags in closed containers when not in use. The authorization is subject to State regulations including 25 Pa. Code §§ 123.1, 123.2 and 123.31. Plan Approval has been conditioned to ensure compliance with all applicable rules. This includes emission limitations, monitoring, recordkeeping, reporting, and work practice conditions. Once compliance with the Plan Approval is demonstrated, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

A person may oppose the proposed plan approval by filing a written protest with the Department through Alan Binder, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-32-00428B) and a concise statement regarding the relevancy of the information or objections to issuance of the Plan Approval.

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

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 in writing or by publication in the newspaper and the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

For additional information individuals may contact Sheri Guerrieri at 412-442-4069.

OPERATING PERMITS

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

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

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

OP17-000008: Exelon Generation Company, LLC—Richmond Generating Station (3901 North Delaware Avenue, Philadelphia, PA 19137) for the operation of an electric generating facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) combustion turbines firing No. 2 fuel oil or kerosene each rated 838 MMBtu/hr.

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

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

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

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

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

35-00048: Pioneer Aggregates, Inc. (220 S River Street, Plains, PA 18705-1137) The Department intends to issue a State-Only (Natural Minor) Operating Permit renewal for operation of a crushing plant located in Fell Township, **Lackawanna County**. The sources include primary and secondary crushers and screens. Control devices include a water spray system. 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.

40-00082: H&K Group, Inc. (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474-0196) The Department intends to issue a State-Only (Synthetic Minor) Operating Permit renewal for operation of an asphalt plant located in Foster Township, **Luzerne County**. The sources include an asphalt plant with rap processing equipment. Sources are controlled by baghouses. The site includes portable crushing equipment. 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.

66-00001: Proctor and Gamble Paper Products Co. (P.O. Box 32, State Route 87 South, Mehoopany, PA 18629) The Department intends to issue an amended Title V Operating Permit for operation in Washington Township, **Wyoming County**. The amendment is intended to correct HAP calculations from combustion sources, to clarify testing requirements for paper machines 7 and 8, to remove a decommissioned gas heater replaced by electric heaters, to correct building locations of two pumps, and to incorporate Plan Approvals 66-0001I, 66-00001H and 66-00001K. The proposed Title V Operating Permit contains all applicable requirements including Federal and State regulations. The proposed operating permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

66-00005: H&K Group, Inc. (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474-0196) The Department intends to issue a State-Only (Natural Minor) Operating Permit renewal for operation of a crushing plant located in Falls Township, **Wyoming County**. The sources include a primary, secondary, and tertiary crusher and associated screens. Control devices include a water spray system. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

45-00030: United Envelope, LLC (1200 Industrial Park Drive, P.O. Box 37, Mount Pocono, PA 18344). The Department intends to issue a renewal State-Only Natural Minor Permit for the United Envelope, LLC located in Coolbaugh Township, **Monroe County**. United Envelope is a manufacturer of Commercial Envelopes. The facility uses inks, solvents and adhesives in the manufacturing process. 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.

54-00017: Lehigh Asphalt Paving and Construction Co. (P.O. Box 1089, Glenside, PA 19038). The Department intends to issue a renewal State-Only Synthetic Minor Permit for the Andreas Quarry located in West Penn Township, **Schuylkill County**. This facility operates an asphalt plant and a crushing plant. 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.

TIV 35-00069: Lackawanna Energy Center LLC (1 South Wacker Drive, Suite 1800, Chicago, IL 60606) has submitted an application to the Pennsylvania Department of Environmental Protection for the initial Acid Rain Permit, TIV 35-00069, for the Lackawanna Energy Center Project located in Jessup Borough, **Lackawanna County**. This Title V facility is subject to the Acid Rain Requirements of Title IV of the Clean Air Act. The application is subject to the regulatory requirements specified in 40 CFR Part 72. The Acid Rain Permit will cover the three (3) combined cycle combustion turbine units at the facility. The Acid Rain Permit incorporates the applicable requirements to the units, as specified in 25 Pa. Code § 127.531 and 40 CFR Parts 72—80. The SO₂ allowance allocated by the Acid Rain Program pursuant to 40 CFR Part 73 for this facility is zero. The Title IV permit includes special permit conditions for the allowance tracking system. The units are not subject to the NO_x emission limitations of 40 CFR Part 96 since they are only authorized to combust natural gas for operation. Based on the information previously presented and included in the application for the initial Acid Rain Permit, TIV 35-00069, the Department intends to issue TIV 35-00069 for Lackawanna Energy Center LLC. The proposed permit will become effective 180 days from the commencement of commercial operation date and expire 5 years from the issued date. The Acid Rain Permit will be incorporated into the initial Title V operating permit for the facility.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 2 Public Square, Wilkes-Barre, PA 18711. Appointments for scheduling a review must be made by calling 570-826-2511.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify TIV 35-00069) and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the 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 of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

PLAN APPROVALS

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **Pierson-Middleport LLC** (Middleport Quarry) (730 Mountain Road, Middleport, PA 17953) for their facility located in Walker Twp., **Schuylkill County**. This Plan Approval No. 54-00084B will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-00084B is for the modification of existing stone crushing plant operating at the facility. Modification involves installation and operation of scalping screen at the Middleport Quarry. The new scalping screen shall be subject to and comply with NSPS Subpart OOO requirements emissions. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-00084B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

35-00056B: P.A. Hutchinson Company (400 Penn Avenue, Mayfield, PA 18433) for their facility in Mayfield Borough, **Lackawanna County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval

to P.A. Hutchinson Company (400 Penn Avenue, Mayfield, PA 18433) for their facility in Mayfield Borough, Lackawanna County. This Plan Approval No. 35-00056B will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 35-00056B is for the installation of one (1) heat set web printing press and one (1) natural gas dryer. Volatile Organic Compound (VOC) emissions from the facility will remain under their 50 TPY limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions and 25 Pa. Code § 129.67 for surface coatings. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 35-00056B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

Coal Applications Received

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

Permit No. 56120101. AK Resources, Inc., 1143 Stoystown Road, Friedens, PA 15541, transfer of an existing bituminous surface and auger mine from Wilson Creek Energy, LLC, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, located in Jenner Township, **Somerset County**, affecting 56.5 acres. Receiving stream: Hoffman Run classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Quemahoning Reservoir. Application received: November 28, 2018.

Permit No. 11830102 and NPDES No. PA0607550. MB Energy, Inc., 175 McKnight Road, Blairsville, PA 15717, permit renewal for the continued operation and restoration of a bituminous surface mine in Lower Yoder Township, **Cambria County** affecting 166.3 acres. Receiving stream: unnamed tributary to St. Clair Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: November 28, 2018.

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

17080111. Waroquier Coal Company (P.O. Box 128, Clearfield, PA 16830). Revision to permit area adding 1.0 acre and 100-foot road variance to a bituminous surface and auger mine in Lawrence Township, **Clearfield County** affecting 176.5 acres. Receiving stream(s): Unnamed Tributaries to West Branch Susquehanna River classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 16, 2018.

17793044 and NPDES PA0119334. River Hill Coal Company, Inc. (P.O. Box 141, Kylertown, PA 16847).

Permit renewal for postmining treatment system on a bituminous surface coal mine located in Karthaus Township, **Clearfield County** affecting 28.9 acres. Receiving stream(s): Saltlick Run classified for the following use(s): HQ-CWF and MF. There are no potable water supply intakes within 10 miles downstream. Application received: November 21, 2018.

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

63170101 and NPDES Permit No. PA0278327. Amerikohl Mining, Inc. (1384 State Route 711, Stahlstown, PA 15687). Application for commencement, operation and restoration of bituminous surface mine, located in Somerset Township, **Washington County**, affecting 54.9 acres. Receiving streams: Unnamed tributaries to North Branch Pigeon Creek and North Branch Pigeon Creek to Pigeon Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: November 9, 2018.

30100101 and NPDES Permit No. PA0251950. Border Energy, LLC (966 Crafts Run Road, Maidsville, WV 26541). Revision application for outfall change from sedimentation ponds to treatment ponds to an existing bituminous surface mine, located in Monongahela Township, **Greene County**, affecting 188.5 acres. Receiving streams: unnamed tributaries to Whiteley Creek, classified for the following use: WWF. Masontown Water

Works, Carmichaels Municipal Authority and Southwestern PA Water Authority are the potable water supply intakes within 10 miles downstream from the point of discharge. Application received: December 4, 2018.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

Alkalinity greater than acidity*

*The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0236471 (formerly PA0235873) (Mining Permit No. 65181301 (formerly 65091301)), New Derry Energy, LLC, (1812 Harvard St., Houston, TX 77008). A new NPDES and mining activity permit for the re-activation of the Kingston-West Mine in Derry Township, **Westmoreland County**. This facility was previously permitted under CMAP # 65091301 and NPDES # PA0235873. Receiving stream: Unnamed Tributary 43416 to Loyalhanna Creek, classified for the following use: WWF. Kiskiminetas Conemaugh TMDL. The application was considered administratively complete on September 24, 2018. Application received: July 6, 2018.

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

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

Outfall 001 discharges to: Unnamed Tributary 43416 to Loyalhanna Creek:

The proposed effluent limits for *Outfall 001* (Lat: 40° 21' 29" Long: -79° 23' 07") are:

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

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

Outfall 002 discharges to: Unnamed Tributary 43416 to Loyalhanna Creek:

The proposed effluent limits for *Outfall 002* (Lat: 40° 21' 27" Long: -79° 23' 2.5") are:

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

Based on the hydrologic data and anticipated wastewater characteristics and flows described in the permit application and its supporting document and/or revisions, the following effluent limitations and monitoring requirements apply to the subject outfall from permit effective date to permit expiration date:

Outfall 003 discharges to: Unnamed Tributary 43416 to Loyalhanna Creek:

The proposed effluent limits for *Outfall 003* (Lat: 40° 21' 32.8" Long: -79° 23' 11.9") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	2,000	4,000	4,000
Chloride	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	100	100

The EPA waiver is not in effect.

Noncoal NPDES Draft Permits

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

NPDES No. PA0279668 (Mining Permit No. 31180301), U.S. Silica Company, 12942 Oriskany Road, Mapleton Depot, PA 17052, new NPDES permit for discharge of water resulting from surface mining of sandstone in Brady Township, **Huntingdon County**, affecting 85.5 acres. Receiving streams: unnamed tributary to and Mill Creek, classified for the following use: Trout Stocked Fishes. Application received: November 2, 2018.

The following outfalls discharge to an unnamed tributary to Mill Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
006A (Stormwater Pond)	Y
008A (Clarifying Pond for Pit Water)	Y

The following outfall discharges to Mill Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
007A (Stormwater Pond)	Y

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

<i>Outfalls: 008A (All Weather Conditions)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Total Iron (mg/l)	1.5	3.0	3.7
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

<i>Outfalls: 006A (Dry Weather to ≤10-yr/24-hr Precip. Event)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</i>			
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units.			

<i>Outfalls: 007A (Dry Weather to ≤10-yr/24-hr Precip. Event)</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
<i>Parameter</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.			

Outfalls: 006A and 007A (>10-yr/24-hr Precip. Event)

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

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.

E51-267. Delaware River Waterfront Corporation, 121 N. Columbus Boulevard, Philadelphia, PA 19106, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To construct and maintain a new steel pile bulkhead, to place fill in approximately 1.8 acre in the Delaware River, and to remove a total of 2.4 acres of existing fill and structures in the area between Pier 27 to Pier 30 and Pier 31 to Pier 35 in Delaware River, resulting in a net restoration of 0.60 acre of open water of the Delaware River near the area of Spring Garden and Festival piers. This work is for the purpose of developing 575 residential apartments, 36,000 SF of street level retail space, parking

and two interconnected areas of public open space along the waterfront including a promenade.

This site development incorporates the following requirements set forth in the Master Plan for the Central Delaware Overlay District:

- Continuation of the Spring Garden Street View corridor through the development to the Delaware River
- A public Waterfront Promenade
- Integration of Compelling public spaces and amenities creating a vibrant public destination
- Extension of the Multi-Use Recreational Trail
- Active ground floor retail and dining that faces a public plaza and Spring Garden Street view corridor to support the public space

The site is located approximately 2,000 feet north of the Ben Franklin Bridge crossing of the Delaware River (Philadelphia, PA USGS map Lat. 39.959277, Long. -75.136134).

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)).

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

E59-540. Seneca Resources Corporation, 51 Zents Boulevard, Brookville, PA 15825. Baldwin Run Roadway Improvements in Delmar Township, **Tioga County**, ACOE Baltimore District (Keeneyville, PA Quadrangles N:41° 47' 44" W: -77° 18' 11").

Seneca has proposed a roadway improvement project to approximately 3.6 miles (19,000 LF) of Baldwin Run Road and approximately 635 LF of new construction (Butler Access Road). Seneca applied for a Standard—Joint Permit to construct, operate, and maintain a two (2) new-permanent stream crossing over Baldwin Run Road in Delmar Township, Tioga County. The work involves the construction of a new "T" intersection with a new stream crossing with a single-span precast concrete rigid frame culvert 97' x 32' wide. Additionally, the replacement of an existing 48" HDPE with pre-fabricated plate arch culvert 54' x 10' wide.

A total of three (3) permanent and two (2) temporary stream impacts are proposed to Baldwin Run (HQ-CWF). Project watercourse impacts shall include and be limited to a total of 192 LF (2,376 SF) of permanent stream impacts and 126 LF (2,226 SF) of temporary stream impacts.

A total of seven (7) permanent and one (1) temporary wetland impacts are proposed. Project wetland impacts shall include and be limited to a total of 1,569 SF (0.0360 ac) of permanent wetland impacts and 510 square feet (0.0117 acre) of temporary wetland impacts.

A total of two (2) permanent and two (2) temporary floodway impacts are proposed to West Branch Mill Creek. Project floodway impacts shall include and be limited to a total of 3344 SF (0.0768 ac) of permanent floodway impacts and 2,454 SF (0.0563 ac) of permanent floodway impacts.

STREAM IMPACT TABLE:

<i>Impact # Station</i>	<i>Resource Name</i>	<i>Municipality</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Listed Trout</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Lat. Long.</i>
1 15+83 to 16+39	JPA-0 Baldwin Run	Delmar	Obstruction Removal	HQ-CWF	Class A Wild			12	12	41.795896° 77.305181°
2 & 4 15+50	JPA-1 Baldwin Run	Delmar	New Bridge	HQ-CWF	Class A Wild	69	1,656	94	1,504	41.795711° 77.303317°
12 & 14 425+50	JPA-8 Baldwin Run	Delmar	New Bridge	HQ-CWF	Class A Wild	57	570	86	860	41.814313° 77.340658°
TOTAL						126	2,226	192	2,376	

WETLAND IMPACT TABLE:

<i>Impact # Resource ID</i>	<i>Station</i>	<i>Resource Name</i>	<i>Munic.</i>	<i>Activity</i>	<i>Cowardin Class</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>
6 JPA-2	310+20 to 310+37	W-170928-0939	Delmar	Fill	PFO; EV	Class A			12	84	41.797048° 77.309935°
7 JPA-3	355+40 to 355+65	W-170928-0815	Delmar	Cut	PEM; EV	Class A			12	48	41.807280° 77.318452°
8 JPA-4	399+28 to 399+40	W-170926-0952	Delmar	Fill	PEM; EV	Class A			23	92	41.813809° 77.331325°
9 JPA-5	405+20 to 405+86	W-170926-0855	Delmar	Fill	PEM; EV	Class A			63	693	41.813460° 77.333542°
10 JPA-6	409+70 to 409+94	W-170926-0830	Delmar	Fill	PFO; EV	Class A			33	297	41.813504° 77.335071°
11 JPA-7	424+30 to 424+60	W-170925-1319	Delmar	Fill	PEM; EV	Class A			23	138	41.814169° 77.340374°
16 JPA-8.5 & 8.6	425+13 to 425+61	W-170925-1201	Delmar	Fill	PEM; EV	Class A	34	510	31	217	41.814243° 77.340652°
TOTAL WETLAND IMPACTS							34	510	197	1,569	
PEM							34	510	152	1,188	
PSS							0	0	0	0	
PFO							0	0	45	381	

FLOODWAY IMPACT TABLE:

<i>Impact # Station</i>	<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>
3 & 5 15+50	JPA-2 Baldwin Run	Delmar	New Bridge	Class A	73	1,314	106	2,226	41.795711° 77.303317°
13 & 15 425+50	JPA-8 Baldwin Run	Delmar	New Culvert	Class A	57	1,140	86	1,118	41.814313° 77.340658°
TOTAL					130	2,454	192	3,344	

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

E5829-137: Bridgewater Township, Williams Field Services Company, LLC; 400 IST Center, Suite 404, Horseheads, NY, 14845; Bridgewater Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 18,964 square feet (0.44 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 51' 03", Longitude: -75° 52' 18"),

2) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 19,321 square feet (0.44 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 51' 04", Longitude: -75° 52' 08"),

3) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,567 square feet (0.04 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 51' 09", Longitude: -75° 51' 58"),

4) a temporary timber mat crossing impacting 2,132 square feet (0.05 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 51' 20", Longitude: -75° 51' 43"),

5) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,956 square feet (0.07 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 51' 22", Longitude: -75° 51' 39"),

6) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 4,766 square feet (0.11 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 51' 28", Longitude: -75° 51' 29"),

7) a temporary timber mat bridge crossing impacting 26,263 square feet of floodway impacts to an unnamed tributary to Snake Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 51' 25", Longitude: -75° 51' 37"),

8) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 14,893 square feet (0.34 acre) of a palustrine emergent wetland (PEM) and 4,932 square feet (0.11 acre) of palustrine scrub-shrub wetland (PSS) (Montrose East, PA Quadrangle; Latitude: 41° 51' 28", Longitude: -75° 51' 24"),

9) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 144 lineal feet and 5,008 square feet of floodway impacts to Snake Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 51' 31", Longitude: -75° 51' 21").

The natural gas gathering pipeline project consists of constructing approximately 1.75 mile 10-inch steel natural gas pipeline located in Bridgewater Township, Susquehanna County. The project will result in 144 lineal feet of stream impacts, 64,599 square feet (1.48 acre) of palustrine emergent wetland impacts, and 4,932 square feet (0.11 acre) of palustrine scrub-shrub wetland impacts to provide safe reliable conveyance of Marcellus Shale natural gas to market.

E5829-138: Auburn and Springville Townships, Williams Field Services Company, LLC; 400 1ST Center, Suite 404, Horseheads, NY 14845; Auburn and Springville Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 17,301 square feet (0.40 acre) of a palustrine emergent wetland (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 02", Longitude: -75° 58' 55"),

2) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 71 lineal feet of an unnamed tributary to Riley Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 01", Longitude: -75° 58' 52"),

3) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,492 square feet (0.03 acre) of a palustrine emergent wetland (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 25"),

4) a temporary timber mat bridge crossing impacting 1,314 square feet of floodway impacts to an unnamed tributary to White Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 03", Longitude: -75° 58' 23"),

5) a temporary timber mat bridge crossing impacting 5,923 square feet of floodway impacts to an unnamed tributary to White Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 03", Longitude: -75° 58' 21"),

6) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 17,726 square feet (0.41 acre) of a palustrine emergent wetland (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 17"),

7) a temporary timber mat bridge crossing impacting 2,751 square feet of floodway impacts to an unnamed tributary to White Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 17"),

8) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 52 lineal feet of an unnamed tributary to White Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 16"),

9) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 829 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 02"),

10) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 55 lineal feet of an unnamed tributary to White Creek (CWF, MF) (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 58' 01"),

11) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,536 square feet (0.13 acre) of a palustrine emergent wetland (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 57' 59"),

12) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,973 square feet (0.05 acre) of a palustrine emergent wetland (PEM) (Springville, PA Quadrangle; Latitude: 41° 42' 04", Longitude: -75° 57' 57").

The natural gas gathering pipeline project consists of constructing approximately 7,288 feet of 12-inch steel

natural gas pipeline located in Auburn and Springville Townships, Susquehanna County. The project will result in 178 lineal feet of stream impacts, 9,998 square feet of floodway only impacts, and 44,857 square feet (1.03 acre) of palustrine emergent wetland impacts to provide safe reliable conveyance of Marcellus Shale natural gas to market.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

I. NPDES Renewal Permit Actions.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS212220 (Storm Water)	Masters RMC, Inc.— Tunkhannock Plant 912 Hunter Highway Tunkhannock, PA 18657-0025	Wyoming County Eaton Township	Bowman Creek (4-G)	Yes
PA0040487 (Sewage)	Maple Lane Estates MHP 123 Gilpin Drive West Chester, PA 19382-7412	Luzerne County Foster Township	Pond Creek (2-A)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0014681 (Industrial)	Nestle Purina Petcare Plant 2050 Pope Road Allentown, PA 18104-9308	Lehigh County South Whitehall Township	Jordan Creek and Unnamed Tributary to Jordan Creek (2-C)	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>
PA0247243 IW	Pennsylvania Cherry LLC P.O. Box 269 Mercersburg, PA 17236	Montgomery Township Franklin County	Unnamed Tributary to West Branch Conococheague Creek in Watershed(s) 13-C	Y
PA0248207 SEW	Kevin & Melissa Nelson 12 Chestnut Grove Lane Newville, PA 17241-8780	Upper Frankford Township Cumberland County	Unnamed Tributary to Conodoguinet Creek in Watershed(s) 7-B	Y
PA0087530 SEW	Paul McAnulty 3651 Waggoners Gap Road Carlisle, PA 17015-9540	North Middleton Township Cumberland County	Unnamed Tributary of Conodoguinet Creek in Watershed(s) 7-B	Y
PA0083194 SEW	HMS Host— Blue Mt. Turnpike Plaza P.O. Box 8 Middletown, PA 17057-0008	Hopewell Township Cumberland County	Newburg Run in Watershed(s) 7-B	Y
PA0261742 SEW	Samuel J Smith 22215 Back Road Doylestown, PA 17219	Fannett Township Franklin County	Unnamed Tributary of Doylestown Stream in Watershed(s) 12-B	Y
PA0087033 SEW	Benuel F Blank 6350 McClays Mill Road Newburg, PA 17240	Lurgan Township Franklin County	Unnamed Tributary of Conodoguinet Creek in Watershed(s) 7-B	Y
PA0087190 SEW	Saint Thomas Township Municipal Authority 175 Saint Thomas Edenville Road Saint Thomas, PA 17252-9743	Saint Thomas Township Franklin County	Unnamed Tributary to Wilson Run in Watershed(s) 13-C	Y
PA0033995 SEW	Berks County 633 Court Street, 16th Floor Reading, PA 19601-4322	Bern Township Berks County	Plum Creek in Watershed(s) 3-C	Y
PA0261955 CAFO	S & A Kreider & Son Inc. 761 Spring Valley Road Quarryville, PA 17566-9773	East Drumore Township Lancaster County	Watershed(s) 7-K Jackson Run	Y
PA0260746 SEW	David J Perchard 6227 Big Creek Road Clearville, PA 15535	Monroe Township Bedford County	Unnamed Tributary to Shaffer Creek in Watershed(s) 11-C	Y
PA0084221 SEW	Mark and Lisa Duvall 815 Beans Cove Road Clearville, PA 15535-8049	Southampton Township Bedford County	to Rocky Gap Run in Watershed(s) 13-A	Y
PA0087718 IW	Crystal Spring Hardwood Inc. 345 South Valley Road Crystal Spring, PA 15536-0034	Brush Creek Township Fulton County	Little Brush Creek in Watershed(s) 11-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0111414 (Sewage)	McEwensville STP 105 Sodom Road Milton, PA 17847-9232	Northumberland County Delaware Township	Unnamed Tributary to Warrior Run (10-D)	No

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0033901 (Sewage)	Willow Bend MHP 113 N Diamond Street Mercer, PA 16137-1202	Mercer County Lackawannock Township	Unnamed Tributary to Little Neshannock Creek (20-A)	Yes
PA0028941 (Sewage)	Evans City Borough STP 216 Wahl Avenue Evans City, PA 16033	Butler County Evans City Borough	Breakneck Creek (20-C)	Yes
PA0221503 (Sewage)	Crab Apple Ridge Golf Course 10234 Sharp Road Waterford, PA 16441-3954	Erie County Waterford Township	Unnamed Tributary to LeBoeuf Creek (16-A)	Yes
PA0000213 (Industrial)	PA American Water Kane 800 West Hersheypark Drive Hershey, PA 17033	McKean County Kane Borough	Hubert Run (16-B)	Yes
PA0035513 (Sewage)	PA DOT Rest Area E P.O. Box 3060 Harrisburg, PA 17105-3060	Mercer County Shenango Township	Unnamed Tributary to Shenango River (20-A)	Yes
PA0103861 (Sewage)	Zoccoli MHP 2575 Ben Franklin Highway Edinburg, PA 16116	Lawrence County Mahoning Township	Unnamed Tributary to the Shenango River (20-A)	Yes

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

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

NPDES Permit No. PA0276138, Stormwater, SIC Code 3281, **Kays Bluestone Saw Shop**, 109 Kays Lane, New Milford, PA 18834.

This proposed facility is located in New Milford Township, **Susquehanna County**.

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

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

NPDES Permit No. PA0021504, Sewage, SIC Code 4952, **Western Butler County Authority**, 607 Market Street, Zelenople, PA 16063-1830.

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

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

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

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

WQM Permit No. WQG02151422, Sewage, Amendment, **East Marlborough Township**, 721 Unionville Road, Kennett Square, PA 19348-1530.

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

Description of Action/Activity: Increase in capacity from 14,030 gpd to 31,050 gpd.

WQM Permit No. WQG02151814, Sewage, **West Goshen Sewer Authority**, 1025 Paoli Pike, West Chester, PA 19380.

This proposed facility is located in West Goshen Township, **Chester County**.

Description of Action/Activity: Construction and operation of a low pressure sewer system for Little Shiloh Rd Subdivision.

WQM Permit No. 2318403, Sewage, **Middletown Township Sewer Authority**, P.O. Box 9, Lima, PA 19037.

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

Description of Action/Activity: Phase 3, extension of the existing Chester Creek Interceptor.

WQM Permit No. WQG02461811, Sewage, **Lower Moreland Township Municipal Authority**, 640 Red Lion Road, Huntingdon Valley, PA 19006.

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

Description of Action/Activity: Installation of 985 LF of 8" PVC gravity sewer to bypass flows from the Billger Dr sewage.

WQM Permit No. WQG02231715, Sewage, **DELOCRA**, 100 East Fifth Street, P.O. Box 999, Chester, PA 19016-0999.

This proposed facility is located in City of Chester, **Delaware County**.

Description of Action/Activity: Installation of an 8" PVC sanitary sewer.

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

WQM Permit No. 4818402, Sewage, SIC Code 4952, **Bethlehem Wastewater Treatment Plant**, Bethlehem City, Northampton County, 10 East Church Street, Bethlehem, PA 18018.

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

Description of Proposed Action/Activity: Replacement/Upgraded WWTP headworks' Influent Mechanical Fine Screens and detritor system.

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

WQM Permit No. 2218401, Sewerage, **West Hanover Township Water & Sewer Authority**, 7901 Jonestown Road, Harrisburg, PA 17112-9728.

This proposed facility is located in West Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: This permit approves the construction and operation of sewage facilities consisting of: a total of 4,467 linear feet of 2-inch diameter and 1,751 linear feet of 3-inch diameter low pressure sewers (HDPE), with 3 stream crossings, 5 air release/vacuum valves, 6 in-line cleanouts and 4 terminal cleanouts to carry flow from approximately 63 grinder pumps attached to 54 single family residences and 5 commercial type buildings.

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

WQM Permit No. 4905403 A-1, Sewage, SIC Code 4952, **PA American Water Co.**, 105 Sodom Road, Milton, PA 17847-9232.

This existing facility is located in Delaware Township, **Northumberland County**.

Description of Proposed Action/Activity: Replacement of pumps at Influent Pump Station and consolidation of permit requirements of WQM Permit Nos. 4982402, 4988415, 4973404, and 4992404.

WQM Permit No. 1908201 A-6, Industrial, SIC Code 2047, **Big Heart Pet Brands Inc.**, 6670 Low Street, Bloomsburg, PA 17815-8613.

This existing facility is located in South Centre Township, **Columbia County**.

Description of Proposed Action/Activity: Major wastewater treatment plant improvements including new equalization tank, new aeration tank, new anoxic tanks, new clarifier and new disinfection system.

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

WQM Permit No. 6518407, Sewage, SIC Code 4952, **Kiski Valley Water Pollution Control Authority**, 1361 School Road, Leechburg, PA 15656.

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

Description of Proposed Action/Activity: The applicant proposes to make improvements at their existing Wean United Pump Station. The pump station will be converted from a dry well/wet well pump station to a dry well pump station with new submersible chopper pumps.

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

WQM Permit No. 4304401 A-1, Sewage, **Springfield Township Mercer County**, P.O. Box 110, Grove City, PA 16127-0110.

This existing facility is located in Grove City Borough, **Mercer County**.

Description of Proposed Action/Activity: Amendment to install additional forcemain to State Route 208 pump station.

WQM Permit No. 2596413 A-2, Sewage, **North East Borough, Erie County**, 31 W Main Street, North East, PA 16428-1135.

This existing facility is located in North East Borough, **Erie County**.

Description of Proposed Action/Activity: Improvements to wastewater treatment plant and construction of pump station for treated effluent.

WQM Permit No. WQG01371801, Sewage, **Hickory Run Energy LLC**, 7500 College Boulevard, Suite 400, Overland Park, KS 66210.

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

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

WQM Permit No. 2572405 A-4, Sewage, **McKean Township Sewer Authority Erie County**, P.O. Box 88, McKean, PA 16426-0088.

This existing facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: Construction of effluent dechlorination facilities.

IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Individual Permits Issued.

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>
PAI136128	O'Hara Township 325 Fox Chapel Road Pittsburgh, PA 15238-2301	O'Hara Township Allegheny	Squaw Run, Little Pine Creek, Gayasuta Run, Glade Run, Powers Run and Allegheny River WWF, HQ-WWF, TSF	N	Y

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>
PAD090031	Airgas USA, LLC 259 North Radnor-Chester Road Suite 220 Radnor, PA 19087	Bucks	Falls Township	Delaware River WWF-MF
PAD090011	Naplin Two Limited Partnership 171 Corporate Drive Montgomeryville, PA 18936	Bucks	Milford Township	Molasses/Unami Creek HQ-TSF-MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480068	Lower Nazareth Twp Lori Stauffer, Esq 623 Municipal Dr Nazareth, PA 18064	Northampton	Lower Nazareth Twp Upper Nazareth Twp	Monocacy Creek (HQ-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>
PAD060013 Issued	PennDOT Engineering District 5-0 1002 Hamilton Street Allentown, PA 18101	Berks	Oley & Ruscombmanor Townships	Little Manatawny Creek (CWF, MF) UNT Little Manatawny Creek (CWF, MF) EV Wetlands
PAD500003 Issued	PPL Electric Utilities Corporation 2 North Ninth Street GENN 4 Allentown, PA 18101	Cumberland Perry	Middlesex & Carroll Township	Shermans Creek (HQ-CWF, MF) Spring Run (WWF, MF) Conodoguinet Creek (WWF, MF) Shermans Creek (WWF, MF)

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

E12-193. Emporium Hardwoods Operating Company, LLC, 15970 PA Route 120, Emporium, PA 15834. Shippen Township, **Cameron County**. ACOE Baltimore Regulatory District. Emporium Hardwoods Operating Company, LLC, Facility Expansion Project, (Emporium, PA Quadrangle: 41° 29' 57.8890" N; 78° 12' 44.672" W).

Department authorization giving consent to construct, operate, and maintain a (1) maximum 39,204-square-foot, concrete-paved, lumber storage, and (2) a stormwater-runoff, treatment forebay and retention basin all located in the 100-year floodway of Driftwood Branch, Sinnemahoning Creek. Concrete-paved lumber storage and stormwater runoff treatment forebay and retention basin were previously disturbed, developed and operated, as ancillary lumber processing areas by the permittee. Neither substantial fill, above-existing elevations, nor additional structures shall be placed in the 100-year floodway without obtaining a written permit from the Department of Environmental Protection. The project located along the southern right-of-way of SR 0120 approximately 0.5-mile west of SR 0155 and SR 0120 intersection.

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>
Solebury Township Bucks County	PAC090190	Pantera Realty, LLC 20 Johanna Farms Road Flemington, NJ 08822-0272	Rabbit Run Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warrington Township Bucks County	PAC090214	Premier A-2 Warrington PA, LLC 1802 Cedar Street Lewes, DE 19958-1822	Park Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bristol Borough Bucks County	PAC090086	1201 Wilson Acquisition, LLC 9539 Bustleton Avenue Philadelphia, PA 19115	Unnamed Tributary Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Warrington Township Bucks County	PAC090091	Prime Properties, Inc. 350 South Main Street Suite 307 Doylestown, PA 18914-2812	Unnamed Tributary to Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAC460202	Sukonik Limerick Homes LLC 1250 Germantown Pike Suite 100 Plymouth Meeting, PA 19462	Unnamed Tributary to Schuylkill WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Trappe Borough Montgomery County	PAC460232	Eye Designs Facility LP 220 West Fifth Avenue Collegeville, PA 19426	Unnamed Tributary to Donny Brook TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Gwynedd Township Montgomery County	PAC460233	Pulte Homes of PA LP 1100 Northbrook Drive Suite 120 Trevose, PA 19053	Towamencin Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAC460246	CP Acquisitions 27, LLC 18 East Lancaster Ave Wynnewood, PA 19096	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAC460251	Upper Providence Township 1286 Black Rock Road Phoenixville, PA 19460	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitpain Township Montgomery County	PAC460290	ACTS Retirement Life Communities Inc 375 Morris Road West Point, PA 19486-0090	Wissahickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAC460265	Redgo Development LP 600 Willowbrook Lane Suite 603 West Chester, PA 19382-5554	Mingo Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAC460226	Marino Holdings, LLC 1400 Cressman Road Skippack, PA 19474	Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Moreland Township Montgomery County	PAC460280	Upper Moreland Township 117 Park Avenue Willow Grove, PA 19090	Tributary to Southampton Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Norriton Township Montgomery County, PA	PAC460287	KI Real Estate Valley Forge LLC 386 Woodview Road West Gove, PA 19390-9211	Indian Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510099	PECO Energy Company (PECO) 2301 Market Street, S7-2 Philadelphia, PA 19103	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC350053	BHR Development Group LLC 1210 Wheeler Ave Dunmore, PA 18512	Lackawanna	Jessup Boro	Sterry Creek (CWF, MF)

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC390072	WBP Assoc LLC 1348 Hamilton Blvd Allentown, PA 18102	Lehigh	Washington Twp	Trout Creek (CWF, MF)
PAC390069	Padmanabha Rengabhashyam 1855 Emerald Dr Orefield, PA 18069	Lehigh	S Whitehall Twp	Jordan Creek (TSF, 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>
Cumberland Township Adams County Issued	PAC010063	Summit Partners, LLC 100 Colonial Way West Chester, PA 19382	Rock Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717-334-0636
Hamburg Borough Berks County Issued	PAC060161	Hamburg Front Street, LLC 16515 Pottsville Pike Suite A Hamburg, PA 19526	UNT Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610-372-4657
Caernarvon Township Berks County Issued	PAC060157	Keith Grant, MGT, L.P. 960 Pottstown Pike Chester Springs, PA 19425	East Branch Conestoga River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610-372-4657
South Hanover Township Dauphin County Issued	PAC220008	Daniel Howard 6180 Randolph Court Harrisburg, PA 17111	Beaver Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Lower Swatara Township Dauphin County Issued	PAC220127	Campus Heights Associates III, LP P.O. Box 222 Southeastern, PA 19399	Swatara Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Derry Township Dauphin County Issued	PAC220139	Derry Township Municipal Authority 670 Clearwater Road Hershey, PA 17033	Swatara Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100

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*Facility Location:
Municipality &
County*

Permit No.

Applicant Name & Address

*Receiving
Water/Use*

*Contact Office &
Phone No.*

City of Harrisburg
Dauphin County
Issued

PAC220141

City of Harrisburg
123 Walnut Street
Suite 212
Harrisburg, PA 17101

Spring Creek
(CWF)

Dauphin County
Conservation District
1451 Peters
Mountain Road
Dauphin, PA 17018
717-921-8100

Lower Paxton
Township
Dauphin County
Issued

PAC220014

Triple Crown Corporation
5351 Jaycee Avenue
Harrisburg, PA 17112

Paxton Creek
(WWF, MF)

Dauphin County
Conservation District
1451 Peters
Mountain Road
Dauphin, PA 17018
717-921-8100

Dover Township
York County
Issued

PAC670225

Glen P. Myers
4214 Davidsburg Road
Dover, PA 17315

Little Conewago
Creek
(TSF)

York County
Conservation District
118 Pleasant Acres
Road
York, PA 17402
717-840-7430

Monaghan Township
York County
Issued

PAC670167

JVH Properties LLC
James Hoffman
700 Ayers Road
Lemoyne, PA 17043

Fishers Run
(CWF)

York County
Conservation District
118 Pleasant Acres
Road
York, PA 17402
717-840-7430

York Township
York County
Issued

PAC670223

Dean & Carol Nachtigall
2470 Indian Rock Dam Road
York, PA 17408

Codorus Creek
(WWF)

York County
Conservation District
118 Pleasant Acres
Road
York, PA 17402
717-840-7430

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

*Facility Location &
Municipality*

Permit No.

Applicant Name & Address

*Receiving
Water/Use*

*Contact Office &
Phone No.*

East Eighth Avenue
Shamokin Dam
Shamokin Dam
Borough

PAC550025

INSA, LLC
Peter Gallagher
East Eighth Avenue
Shamokin Dam, PA 17872

Susquehanna River
(WWF)

Snyder County
Conservation District
403 W Market St
Middleburg PA 17842
(570) 837-3000 X110

111 West 19th Street
New York, NY 10011
Wyalusing Twp.

PAC080033

Bradford County Real Estate
Partners, LLC
111 West 19th Street
New York, NY 10011

Susquehanna River
(WWF)

Bradford County
Conservation District
Stoll Natural
Resource Ctr
200 Lake Rd
Ste E
Towanda, PA 18848
(570) 265-5539, X 6

1951 Washington
Avenue
Lewisburg, PA 17837
Kelly Twp.

PAC600037

Dr. Steven Skalka
Lewisburg Area School District
1951 Washington Avenue
Lewisburg, PA 17837

UNT to Buffalo
Creek
(CWF, MF)

Union County
Conservation District
Union County
Government Center
155 N 15th St
Lewisburg PA 17837
(570) 524-3860

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Municipality of Monroeville	PAC020293	FM & H Associates, LLC 3651 William Penn Highway Monroeville, PA 15146	Thompson Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Jefferson Hills Borough	PAC020337	Triangle Engineering and Land Planning Services, Inc. 405 McKneilly Road Pittsburgh, PA 15226	Peters Creek (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Robinson Township	PAC020297	Diehl Automotive 5408 University Boulevard Coraopolis, PA 15108	Campbells Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Findlay Township	PAC020001	A.L. Neyer 535 Smithfield Street Suite 560 Pittsburgh, PA 15222	Montour Run (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Pine Township	PAC020311	Shipleigh Brothers 12300 Perry Highway Wexford, PA 15090	Breakneck Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh	PAC020150	Pittsburgh Zoo and PPG Aquarium One Wild Place Pittsburgh, PA 15206	Allegheny River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Upper Saint Clair Township	PAC020292	Two 2550 Willowbrook Development, LLC 2610 Cedarvue Avenue Pittsburgh, PA 15241	Brushcreek Basin (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
City of Pittsburgh	PAC020155	UPMC Saint Margaret 815 Freeport Road Pittsburgh, PA 15215-3399	Allegheny River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh	PAC020239	Pennsylvania-American Water Company 300 Galley Road McMurray, PA 15317	Becks Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Municipality of Monroeville	PAC020319	A.R. Building Company, Inc. 310 Seven Fields Boulevard Suite 350 Seven Fields, PA 16046	Leak Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Jefferson Hills Borough	PAC020267	Steven Richard and Andrea Richard	UNT to Peters Creek (TSF)	Allegheny County Conservation District, River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Harmar Township	PAC020332	Horizon Properties Group, LLC 375 Southpointe Boulevard Suite 410 Canonsburg, PA 15137	Ohio River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Mount Lebanon Township	PAC020141	Senior Apartments of Mount Lebanon, LP 301 Grant Street Suite 4500 Pittsburgh, PA 15219	UNT to Sawmill Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Elizabeth Township and Forward Township	PAC020164	Peoples Natural Gas, LLC 375 North Shore Drive Pittsburgh, PA 15212	UNT to Fallen Timber Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh	PAC020168	Holdings Acquisition Company, LP 1301 Beaver Avenue Pittsburgh, PA 15233	Ohio River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645

NOTICES

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
City of Pittsburgh	PAC020169	Buncher Company 1300 Penn Avenue Pittsburgh, PA 15222	Allegheny River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Clearfield Township	PAC110046	Cambria Heights School District 426 Glendale Lake Road Patton, PA 16668	UNT to Chest Creek (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Cecil Township	PAC630110	Luca Construction and Design, Inc. 161 Papp Road Canonsburg, PA 15317	UNTs to Chartiers Creek (WWF)	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098
Hempfield Township	PAC650102	Westmoreland County Housing Authority 167 South Greengate Road Greensburg, PA 15601	Jacks Run (WWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271
Ligonier Township	PAC650122	Laurel Valley Golf Club P.O. Box 435 Ligonier, PA 15658 Frontier Construction 3826 State Route 31 Donegal, PA 15628	UNT to Loyalhanna Creek (CWF)	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

General Permit Type—PAG-8

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Susquehanna Borough Susquehanna County	PAG 08 2204	Tri-Boro Municipal Authority 282 Erie Boulevard Susquehanna, PA 18847	Tri-Boro Municipal Authority 282 Erie Boulevard Susquehanna, PA 18847	Northeast Regional 570-826-2511
Spring Township Centre County	PAG084814	Borough of Bellefonte 236 West Lamb St. Bellefonte, PA 16823	Borough of Bellefonte Waste Water Treatment Plant	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.0530

General Permit Type—PAG-13

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lehigh Township Northampton County	PAG132239	Lehigh Township 1069 Municipal Road Walnutport, PA 18088	Bertsch Creek, Tributaries 3734, 3735, 3736, 3737, 3739 and 3740 to Bertsch Creek, Tributaries 3721, 3724 and 3725 to Lehigh River, Hokendauqua Creek, Tributaries 3681 and 3685 to Hockendauqua Creek, Indian Creek, Tributaries 3668, 3670, 3671, 3672 and 3674 to Indian Creek (all CWF/MF), and the Lehigh River (TSF/MF)—2-C	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

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>
Adam Martin 390 Midway Rd Bethel, PA 19507	Berks	110.6	394.5	Broilers	NA	Approved
Irvin Weaver 118 Wintersville Rd Richland, PA 17087	Berks	100	389.36	Poultry, Layers	NA	Approved
Dean Stump 48 Rehrersburg Rd Richland, PA 17087	Berks	12.3	393.54	Poultry, Layers	NA	Approved
Hillside Acres 350 Dotterer Rd Lenhartsville, PA 19534	Berks	12.1	842.85	Swine	NA	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. § 721.1—721.17).

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

Permit No. 4618517, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Lower Merion
County	Montgomery
Type of Facility	PWS
Consulting Engineer	GHD, Inc. 1240 Mountain Road Bryn Mawr, PA 19401
Permit to Construct Issued	November 30, 2018

Permit No. 0918522, Public Water Supply.

Applicant	Warminster Municipal Authority 415 Gibson Avenue Warminster, PA 18974
Township	Warminster
County	Bucks

Type of Facility	PWS
Consulting Engineer	CKS Engineers, Inc. 88 South Main Street Doylestown, PA 18901
Permit to Construct Issued	November 30, 2018

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

Permit No. 3480050, Operations Permit, Public Water Supply.

Applicant	Easton Suburban Water Authority 3700 Hartley Avenue Easton, PA 18043
[Borough or Township]	City of Easton
County	Northampton
Type of Facility	PWS
Consulting Engineer	N/A
Permit to Operate Issued	12/01/2018

Permit No. 2580023, Operations Permit, Public Water Supply.

Applicant	Pennsylvania American Water Company 800 West Hershey Park Dr. Hershey, PA 17033
[Borough or Township]	Bridgewater Township
County	Susquehanna
Type of Facility	PWS
Consulting Engineer	Mr. Bruce Brubaker, PE Project Manager Engineer PAWC 852 Wesley Dr Mechanicsburg, PA 17055

Permit to Operate Issued	November 13, 2018
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Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 2818505, Public Water Supply.

Applicant	Borough of Chambersburg
Municipality	Greene Township
County	Franklin
Responsible Official	Lance D. Anderson, Water Superintendent 100 South Second Street Chambersburg, PA 17201
Type of Facility	Addition of Clearwell No. 2 at the Chambersburg Water Treatment Plant.
Consulting Engineer	Chad M. Angle, P.E. CET Engineering Services 1240 N. Mountain Road Harrisburg, PA 17112
Permit to Construct Issued	12/3/2018

Permit No. 2818506, Public Water Supply.
 Applicant **Bear Valley Joint Authority**
 Municipality Peters Township
 County **Franklin**
 Responsible Official Wayne Henry, Chairman
 218 School House Road
 St. Thomas, PA 17752-0308
 Type of Facility Addition of corrosion inhibitor at
 the Broad Run Water Treatment
 Plant and the Fort Loudon
 Water Treatment Plant.
 Consulting Engineer Christopher M. Echenrode, P.E.
 Gwin, Dobson & Foreman, Inc.
 3121 Fairway Drive
 Altoona, PA 16602
 Permit to Construct 11/21/2018
 Issued

Permit No. 0618524 MA, Minor Amendment, Public
 Water Supply.
 Applicant **Vinemont Community
 Lutheran Church**
 Municipality Spring Township
 County **Berks**
 Responsible Official Christopher L. Burd, Council
 President
 1278 Fritztown Road
 Reinholds, PA 17569-9107
 Type of Facility Vinemont Community Lutheran
 Church has submitted a PWS
 construction permit application
 for the approval to install a
 sodium hypochlorite disinfection
 system and multiple contact
 tanks to provide 4-log treatment
 of viruses at Entry Point No.
 101.
 Consulting Engineer David J. Gettle
 Kohl Bros., Inc.
 P.O. Box 350
 Myerstown, PA 17067
 Permit to Construct 11/28/2018
 Issued

Permit No. 0618526 MA, Minor Amendment, Public
 Water Supply.
 Applicant **Mazzola's Pizza**
 Municipality Ruscombmanor Township
 County **Berks**
 Responsible Official Givseppe Mazzola, Owner
 3675 Pricetown Road
 Fleetwood, PA 19522
 Type of Facility Mazzola's Pizza has submitted a
 PWS construction permit
 application for approval to install
 a sodium hypochlorite
 disinfection system and multiple
 contact tanks to provide 4-log
 treatment of viruses at Entry
 Point No. 101.

Consulting Engineer Jeremy S. Madaras, P.E.
 J.S. Madaras Consulting LLC
 250 Indian Lane
 Boyertown, PA 19512
 Permit to Construct 11/30/2018
 Issued

Operation Permit No. 6717514 issued to: **The York
 Water Company (PWS ID No. 7670100)**, Springetts-
 bury Township, **York County** on 11/28/2018 for facilities
 approved under Construction Permit No. 6717514.

**Transferred Comprehensive Operation Permit No.
 7280066** issued to: **Heritage Hills Retirement Com-
 munity, Inc. (PWS ID No. 7280066)**, Antrim Township,
Franklin County on 11/28/2018. Action is for a Change
 in Ownership for Heritage Hills Retirement Home, Frank-
 lin County for the operation of facilities previously issued
 to Heritage Hills Retirement Home, LLC.

**Transferred Comprehensive Operation Permit No.
 7360050** issued to: **Stoneyhill Community, LLC (PWS
 ID No. 7360050)**, Salisbury Township, **Lancaster
 County** on 11/21/2018. Action is for a Change in Owner-
 ship for Stoneyhill Mobile Home Park, Lancaster County
 for the operation of facilities previously issued to MISA
 Corporation.

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

**Ralston Area Joint Authority (Public Water Sup-
 ply), Lycoming County:** On November 28, 2018, the
 Safe Drinking Water Program approved the Source Water
 Protection (SWP) plan for the Ralston Area Joint Author-
 ity community water system. The personnel involved with
 the development of this SWP are to be commended for
 taking these proactive steps to protect these water
 sources for their community. Development of the SWP
 plan was funded by the Department of Environmental
 Protection (Mark R. Stephens, P.G., (570) 327-3422).

**Permit No. 1416501MA—Operation—Public Water
 Supply.**
 Applicant **Bellefonte Borough**
 Township/Borough Bellefonte Borough
 County **Centre County**
 Responsible Official Mr. Ralph Stewart, Bellefonte
 Manager
 236 West Lamb Street
 Bellefonte, PA 16823
 Type of Facility Public Water Supply—Operation
 Consulting Engineer Mr. Anthony J. Coval, P.E.
 Nittany Engineering &
 Associates, LLC
 2836 Earlstown Road
 Suite 1
 Centre Hall, PA 16828
 Permit Issued November 30, 2018
 Description of Action Authorizes Bellefonte Borough
 Authority to use the 30 mil XR-3
 PW 8130-floating cover
 manufactured by Seaman
 Corporation that has been
 installed on Big Spring.

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

Permit No. 0415504-A2, Public Water Supply.

Applicant	Center Township Water Authority 224 Center Grange Road Aliquippa, PA 15001
[Borough or Township]	Center and Potter Townships
County	Beaver
Type of Facility	Raw water transmission main
Consulting Engineer	Lennon, Smith, Souleret Engineering, Inc. 846 Fourth Avenue Coraopolis, PA 15108
Permit to Construct Issued	November 21, 2018

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

Transfer of Operation Permit issued to Palmiero Properties, LLC, PWSID No. 620065, Summit Township, Crawford County on November 28, 2018. Action is for change in ownership; the potable water supplier will do business as Victoria Estates Mobile Home Park. The new permit number is 2009506-T1.

Operation Permit issued to Erie City Water Authority, PWSID No. 6250028, City of Erie, Erie County. Permit Number 2517507 issued December 3, 2018 for the operation of the sodium hypochlorite booster chlorination feed system at the Echo Hills booster pump station. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on November 30, 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:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
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 agree-

ment. The Plan also provides for the development and implementation of an on-lot sewage disposal system (OLDS) management program with a three-year inspection 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.

Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lewis Township	P.O. Box 143 Watsonstown, PA 17777	Northumberland

Plan Description: The plan provides for the construction of a combination low pressure and gravity sewer system with a submersible pump station to convey wastewater from nineteen (19) homes in the Schell & Koch Road planning area to the existing Lewis Township Wastewater Treatment Plant (WWTP). The plan also provides for individual grinder pumps at three (3) of the homes. This proposal's projected cost is expected to be \$991,000.00, which will be funded by up front revenue and a low interest loan through PENNVEST, with the potential for a loan through the United States Department of Agriculture Rural Utility Service (RUS) program, a municipal bond issue, or a bank loan. The submission is consistent with the planning requirements in Chapter 71 of DEP's regulations. No significant environmental or historical impacts were identified in the review of the plan.

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 circum-

stances, 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.

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 Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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 Gonzalez, Hispanic Association of Contractors and Enterprise, 167 West Allegheny Avenue, Suite 200, Philadelphia, PA 19140 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil contaminated with PAHs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Menasha Corporation, 501 East Erie Avenue, City of Philadelphia, **Philadelphia County**. Daniel L. Hoadley, EEC Environmental, 200 Harry S. Truman Parkway, Suite 330A, Annapolis, MD 21401 on behalf of Ryan Camody, Menasha Corporation, 601 East Erie Avenue, Philadelphia, PA 19134 submitted a Final Report concerning remediation of site soil and groundwater contaminated with VOCs and metals. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Armstrong Engineering Associates, Inc., 1845 West Strasburg Road, West Bradford Township, **Chester County**. Thomas A Petrecz, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Eric A. Nicholas, Armstrong Engineering Associates, Inc., 1845 West Strasburg Road, Coatesville, PA 19320 submitted a Final Report concerning remediation of site soil and groundwater contaminated with VOCs and primarily chlorinated hydrocarbons. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Ashbourne Meadows, 1100 Ashbourne Road, Cheltenham Township, **Montgomery County**. Michael Potts, Terraphase Engineering, Inc., 100 Canal Point Boulevard, Suite 108, Princeton, NJ 08540 on behalf of Kenneth Griffin, Matrix/Ashbourne Associates, LP, Forsgate Drive CN400, Cranbury, NJ 08512 submitted a Final Report concerning remediation of site soil and groundwater

contaminated with inorganics and lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Marcus Hook Pump Station, 1111 West Ridge Road, Lower Chichester Township, **Delaware County**. Bernard Beegle, Advance GeoServices Corporation, 1055 Andrew Drive, Suite A, West Chester, PA 19380 on behalf of John Lawrence, SCE Environmental Group, 1380 Mt. Cobb Road, Lake Ariel, PA 18436 submitted a Final Report concerning remediation of site soil contaminated with No. 2 and No. 6 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Spring Garden School, 843-847 North 12th Street & 1115 Parrish Street, City of Philadelphia, **Philadelphia County**. Sarah Szymanski, REPSG, Inc., 6901 Kingsessing Avenue, Second Floor, Philadelphia, PA 19142 on behalf of David Cleghorn, HELP, PA V LP, 5115 East 13th Street, New York, NY 10003 submitted a Final Report concerning remediation of site soil contaminated with PAHs and vanadium. The report is intended to document remediation of the site to meet the Site-Specific Standard.

University of Penn—Hutchinson Gym, 219 South 33rd Street, City of Philadelphia, **Philadelphia County**. Christopher Milone, Brown and Caldwell, 534 Route 38 East, Suite 355, Cherry Hill, PA 08002 on behalf of Kyle Rosato, Trustees of the University of Pennsylvania, 3160 Chestnut Street, Suite 400, Philadelphia, PA 19104 submitted a Remedial Investigation Report/Risk Assessment Report/Final Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

VMM Eckman LP, 4581 Lower Valley Road, West Sadsbury Township, **Chester County**. Colleen Costello, GHD Services, Inc., 1140 Welsh Road, Suite 120, North Wales, PA 19454 on behalf of Tom Estock, Quad/Graphics, Inc. N61 W23044 Harry's Way, Sussex, WI 53089-3995 submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with benzene, toluene, TCE, lead, arsenic, and chromium. 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.

Cornerstone Real Estate/Alburtis Apartments, 117 South Main Street, Alburtis Borough, **Lehigh County**. Black Rock Environmental, P.O. Box 288, Nazareth, PA 18064, on behalf of Cornerstone Real Estate, 3910 Adler Place # 100, 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.

S. Moore Pad 1, 1397 Lucy Daly Road, Jessup 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 hydraulic fracturing fluid to the soil. The report is intended to document remediation of the site to meet a combination of Background and Statewide Health Standards.

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

Wenger Feeds, LLC/Witmer Property, 2484 Gamber Road, Washington Boro, PA 17582, Manor Township, **Lancaster County**. Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Donald Witmer, 2484 Gamber Road, Washington Boro, PA 17582, submitted a Final Report concerning remediation of site soil contaminated with unleaded gasoline released from an above-ground storage tank. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Brookside Mobile Home Park, 1065 South Eisenhower Boulevard, Middletown, PA 17057, Lower Swatara Township, **Dauphin County**. Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Patriot Holdings, LLC, 4023 Dean Martin Drive, Las Vegas, NV 89103, and Jason Kelso, Esquire, 2 West High Street, Carlisle, PA 17013, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Esterly Concrete Company Diesel & UMO Release, 500 Plum Creek Road ROW, Leesport, PA 19533, Penn Township, **Berks County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of PennDOT Maintenance—Berks, 4680 Fifth Street Highway, Temple, PA 19560, submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and used motor oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Shippensburg Borough Property, Cramer Road & Walnut Bottom Road, Shippensburg, PA 17257, Shippensburg Township, **Cumberland County**. Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482, on behalf of Shippensburg Investors, L.P., Ellis Preserve, 3843 West Chester Pike, Newtown Square, PA 19073, submitted a Remedial Investigation Report and Cleanup Plan concerning site soil contaminated with lead and VOCs from a municipal dump. The combined report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Claudia BRA Pad, 13825 Route 187, Wyalusing, Terry Township, **Bradford County**. Leidos Inc, 6310 Allentown Blvd, Suite 110, Harrisburg, PA 17112, on behalf of Chesapeake Appalachia, LLC, 330 N. 2nd Street, 5th Floor, Harrisburg, PA 17101, has submitted a Final Report concerning remediation of site soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

JKLM Energy, LLC—Sweden Valley Well Pad 107, 498 Fairway Drive, Coudersport, Sweden Township, **Potter County**. Penn Environmental & Remediation, Inc., 13180 Route 6, Mansfield, PA 16933, on behalf of JKLM Energy, LLC, 2200 Georgetowne Drive, Suite 500, Sewickley, PA 15143, has submitted a Final Report concerning soils contaminated with brine. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Jackson, Cook, Caracappa & Scott, P.C., 312 Oxford Valley Road, Falls Township, **Bucks County**. Matthew Mercuri, PG, Mercuri & Associates, Inc., 2198 Pennsbury Drive, Jamison, PA 18929 on behalf of Joe

Crooks, Super Tank & Energy Co LLC, 302 Jefferson Avenue, Bristol, PA 19007 submitted a Final Report concerning 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 November 3, 2018.

805-807 West Berks Street, 805-807 West Berks Street, City of Philadelphia, **Philadelphia County**. Shad Manning, REPSG, Inc., 6901 Kingsessing Avenue, Philadelphia, PA 19142 on behalf of Nicholas Dema, North Central Phase I, LP, 1800 South 32nd Street, Philadelphia, PA 19145 submitted a Remedial Investigation Report/Cleanup Plan/Final Report concerning the remediation of site soil contaminated with benzo(a)pyrene, lead, and vanadium. The Report was approved by the Department on November 2, 2018.

Rubinstein Property, 250 East Market Street, Borough of West Chester, **Chester County**. Michael S. Welsh, P.E., Welsh Environmental Inc., 131 Clearview Downingtown, PA 19355 on behalf of Eli Kahn, 250 East Market Partners, LLC, 120 Pennsylvania Avenue, Malvern, PA 19355 submitted a Cleanup Plan concerning the remediation of site groundwater contaminated with inorganics. The Report was approved by the Department on October 25, 2018.

201-203 West Chester Pike, 201-203 West Chester Pike, Ridley Park Borough, **Delaware County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Paul O'Connor, Apartment Management LLC, 116 North Swarthmore Avenue, Suite 1, Ridley, PA 19078 submitted a Final Report concerning 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 November 5, 2018.

3955 Bristol Pike, 3955 Bristol Pike, Bensalem Township, **Bucks County**. Matthew Mercuri, PG, Mercuri & Associates, Inc. 2198 Pennsbury Drive, Jamison, PA 18929 on behalf of Michael Hoffman, Wood Environmental & Infrastructure Solns, 4232 North Brandywine Drive, Suite A, Peoria, IL 61614 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with benzene, ethylbenzene, naphthalene, tetrachloroethene, MTBE and vinyl chloride. The Final Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on October 30, 2018.

Entenmann's Bakery Garage, 690 East Lincoln Highway, West Whiteland Township, **Chester County**. Michael S. Welsh, Welsh Environmental, Inc., 131 Clearview Drive, Downingtown, PA 19335 on behalf of Eli Kahn, 690 East Lincoln Associates, LLC, 120 Pennsylvania Avenue, Malvern, PA 19355 submitted a Cleanup Plan/Final Report concerning the remediation of site soil and groundwater contaminated with ethylbenzene, 1,2,4, TMB and 1,3,5 TMB. The Report was approved by the Department on October 25, 2018.

Pine Road/Red Lion Road, Lower Moreland Township, **Montgomery County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Gregory T. Rogerson, JERC Partners XIII, LP, 171 State Route 173, Suite 201, Asbury, NJ 08802 submitted a Final Report concerning the remediation of site soil contaminated with organic compounds. The Final Report did not

demonstrate attainment of the site-specific standard and was disapproved by the Department on November 1, 2018.

Wyndmoor Properties, 919 East Willow Grove Avenue, Springfield Township, **Montgomery County**. Kenny Kim, JK Environmental Services, LLC, P.O. Box 609, Lafayette Hill, PA 19444 submitted a Final Report concerning the remediation of site soil contaminated with hydraulic oil. The Final Report demonstrate attainment of the Statewide Health Standard and was approved by the Department on November 1, 2018.

Wells Fargo, 101 Main Street, Borough of Phoenixville, **Chester County**. John Van Wagenen, Coventry Environmental Associates, Inc., P.O. Box 224, St. Peters, PA 19470 submitted a Remedial Investigation Report/Final Report concerning the remediation of site soil contaminated with No. 5 fuel oil. The Report was disapproved by the Department on October 24, 2018.

Longacre, 471 Harleysville Pike, Franconia Township, **Montgomery County**. Phil Getty, Boucher & James, Inc, 1456 Ferry Road, Building 500, Doylestown, PA 18901 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.

Former New Jersey Zinc West Plant, 1120 Mauch Chunk Road, Palmerton Borough, **Carbon County**. Ramboll US Corporation, 1760 Market Street, Suite 1000, Philadelphia, PA 19103, on behalf of Northface Development LLC, 1120 Mauch Chunk Road, Palmerton, PA 18071, submitted a revised Remedial Investigation Report and Cleanup Plan concerning remediation of soil and groundwater contamination from a former zinc smelter. The report is intended to document remediation of the site to meet Site-Specific Standards and was approved by the Department on December 3, 2018.

Woosman Range Unit 24 Well Pad, 2620 State Route 492, New Milford Township, **Susquehanna County**. Woodward & Curran, 12 Frear Hill Road, Tunkhannock, PA 18657 on behalf of SWN Production Company, LLC, 917 State Route 92 North, Tunkhannock, PA 18657, has resubmitted a Final Report concerning remediation of site soils contaminated with hydraulic fracturing fluid and brine. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on December 4, 2018.

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

Loyal Plaza Shopping Center, 1915 East Third Street, Williamsport, Loyalsock Township, **Lycoming County**. Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482-0810, on behalf of Loyal Plaza Venture, L.P., 180 East Broad Street, Columbus, OH 43215, has submitted a revised Combined Groundwater Remedial Investigation Report, Risk Assessment and Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report demonstrated attainment of the Site-Specific Standard and was approved by the Department on November 30, 2018.

COP Tract 653 1000, 232 Little Texas Lane, Beech Creek Township, **Clinton County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Alta Resources, 33 West Third Street, Suite 300, Williamsport, PA 17701, has submitted a Final Report concerning remediation of site soil contaminated with produced fluid. The report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on November 30, 2018.

PV Transport Inc. Diesel Fuel Cleanup, US Route 15S, Williamsport City, **Lycoming County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of PV Transport, Inc., 2700 Clemens Road, Hatfield, PA 19440, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 30, 2018.

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

Erie Speed Check, 209 East 6th Street, City of Erie, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Sunny Simran, LLC, 1725 Parade Street, Erie, PA 16503 submitted a Final Report concerning the remediation of site soil contaminated with benzene, toluene, ethyl benzene, naphthalene, cumene (isopropylbenzene), meth tert-butyl ether (MTBE), 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, and xylenes. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 29, 2018.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101–6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Renewal Applications Received

Envirite of Ohio, Inc., 2050 Central Avenue SE, Canton, OH 44707. License No. PA-AH 0548. Effective Nov 29, 2018.

Envirite of Pennsylvania, Inc. dba EQ Pennsylvania, 730 Vogelsong Road, York, PA 17404. License No. PA-AH 0549. Effective Nov 29, 2018.

Hazardous Waste Transporter License Reissued

Envirite of Ohio, Inc., 2050 Central Avenue SE, Canton, OH 44707. License No. PA-AH 0548. Effective Nov 29, 2018.

Envirite of Pennsylvania, Inc. dba EQ Pennsylvania, 730 Vogelsong Road, York, PA 17404. License No. PA-AH 0549. Effective Nov 29, 2018.

RSB Logistic Inc., 219 Cardinal Crescent, Saskatoon, SK S7L7K8. License No. PA-AH 0854. Effective Nov 29, 2018.

Hazardous Waste Transporter License Voluntarily Terminated

TIER Environmental Services, Inc., 5745 Lincoln Hwy, Gap, PA 17527. License No. PA-AH 0680. Effective Dec 03, 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

The Pennsylvania State University, 6 Eisenhower Parking Deck, University Park, PA 16802. License No. PA-HC 0153. Effective Dec 04, 2018.

Regulated Medical and Chemotherapeutic Waste Transporter Reissued

The Pennsylvania State University, 6 Eisenhower Parking Deck, University Park, PA 16802. License No. PA-HC 0153. Effective Dec 04, 2018.

Triumvirate Environmental (Florida), Inc., 200 Inner Belt Road, Somerville, MA 02143. License No. PA-HC 0272. Effective Nov 29, 2018.

Regulated Medical and Chemotherapeutic Waste Transporter License Voluntarily Terminated

Secured Med Waste LLC, P.O. Box 786, Finksburg, MD 21048. License No. PA-HC 0241. Effective Dec 04, 2018.

MUNICIPAL WASTE GENERAL PERMITS

Permits 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 Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.

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

Permit Application No. WMGM054. WeCare Blackwood Farms, LLC, 9293 Bonta Bridge Road, Jordan, NY 13080. A permit reissuance to transfer coverage under WMGM054 from WeCare Organics Northeast, LLC to WeCare Blackwood Farms, LLC. The permit is for the sale, distribution, or otherwise giving away of a treated and finished exceptional quality biosolids-derived material for land application from the Blackwood Farms Biosolids Management Facility located in Reilly Township, **Schuylkill County**. The application was approved by the Regional Office on December 4, 2018.

Persons interested in reviewing the permit may contact Roger Bellas, Regional Waste Management Program Manager, Department of Environmental Protection, 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.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit Issuance 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.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

General Permit No. WMGR099NC001. Keystone Renewable Waste Solutions, LLC, 117 Dave's Lane, Middleburg, PA 17842, Center Township, Snyder County. Determination of Applicability for General Permit for the Jonathan Hummel (NOB) Farm. The general permit was issued by The Department with the determination of applicability on November 29, 2018 approving the beneficial use of processed residential septage, grease trap waste, food processing waste, and solids from small and minor municipal wastewater treatment plants, through agricultural utilization.

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. 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 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 Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

Permit No. 101721. Keystone Renewable Waste Solutions, LLC, 117 Dave's Lane, Middleburg, PA 17842, Center Township, Snyder County. Permit to operate a municipal waste transfer station facility to process residential septage, grease trap waste, food processing waste, and solids from small and minor municipal wastewater treatment plants. The permit was issued by Northcentral Regional Office on November 29, 2018.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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

Permit Application No. 603455. WeCare Blackwood Farms, LLC, 9293 Bonta Bridge Road, Jordan, NY 13080. A permit reissuance to transfer the permit for

Blackwood Farms Biosolids Management Facility located in Reilly Township, **Schuylkill County** from WeCare Organics, LLC to WeCare Blackwood Farms, LLC. The application was approved by the Regional Office on December 3, 2018.

Persons interested in reviewing the permit may contact Roger Bellas, Regional Waste Management Program Manager, Department of Environmental Protection, 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.

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

Permit ID No. 301287. ATI Flat Rolled Products Holdings, LLC, 100 River Road, Brackenridge, PA 15014. This permit is for a 10-year renewal of Solid Waste Management Permit ID No. 301287 to continue operation of the Latrobe Captive Residual Waste Landfill, a residual waste landfill, located at P.O. Box 151, State Route 981, Latrobe, PA 15650-0151 in Derry Township, **Westmoreland County**. The application does not propose any design, operational or closure changes to the facility. The permit was issued in the DEP Regional Office in Pittsburgh on December 4, 2018.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP14-23-0133: Delaware County Crematory (52 South 4th Street, Bryn Mawr, PA 19010) On November 20, 2018 for B&L Cremation Systems, Inc, Model No. N-20AA, Therm Jet 100 and Therm Jet 150 Burners, 1.5 MMBtu/HR in Upper Darby Township, **Delaware 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.

GP14-06-03160: Lutz Funeral Home, Inc. (2100 Perkioman Avenue, Reading, PA 19606) on November 21, 2018, for an existing human crematory facility, under GP14, at their location in Mount Penn Borough, **Berks County**. The general permit authorization was renewed.

GP6-21-03107: Hampden Cleaners (4610 Carlisle Pike, Mechanicsburg, PA 17050) on November 27, 2018, for an existing petroleum dry cleaning operation, under GP6, located in Hampden Township, **Cumberland County**. The general permit authorization was renewed.

GP6-28-03015: Tip Top Cleaners (7956 Nyesville Road, Chambersburg, PA 17201) on November 27, 2018,

for an existing petroleum dry cleaning operation, under GP6, located in the Borough of Chambersburg, **Franklin County**. The general permit authorization was renewed.

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

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

GP1-59-00012: Dairy Farmers of America, Inc. (72 Milk Plant Road, Middlebury Center, PA 16935) on November 16, 2018, to construct and operate a 31.40 MMBtu/hr Johnston Boiler model PFTX 750-4 natural gas-fired boiler pursuant to the General Plan Approval and General Operating Permit (BAQ-GPA/GP-1): Small Gas and No. 2 Oil Fired Combustion Units at the Middlebury Plant located in Middlebury Township, **Tioga County**.

GP9-49-342: Weis Markets, Inc. (16 South Industrial Park Road, Milton, PA 17847) for authorization to continue operation of their diesel-fired 3000-kW Generator Engine, located at their Milton Warehouse facility in the Borough of Milton, **Northumberland County** pursuant to the General Plan Approval and/or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9).

GP3-08-313F: Johnson Quarries, Inc. (P.O. Box 136, Orange Street, LeRaysville, PA 18829) on November 28, 2018, to authorize the relocation and operation of a 2016 vintage McCloskey C44 portable crushing plant, a 2008 vintage Tesab 1012T portable crushing plant, a 2003 vintage Terex Pegson 26 x 44 portable crushing plant, a 2015 vintage McCloskey J50C portable crushing plant, a 2008 vintage Powerscreen Chiefton 1400 portable screening plant, a 2006 vintage Extec E7 portable screening plant, a 2010 vintage McCloskey S190 portable screening plant, a 2016 vintage McCloskey R155 portable screening plant and a 2011 vintage Tesab 80 x 42 portable stacker conveyor pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Rocky Forrest Quarry located in Wilmot Township, **Bradford County**.

GP9-08-313F: Johnson Quarries, Inc. (P.O. Box 136, Orange Street, LeRaysville, PA 18829) on November 28, 2018 to authorize the relocation and operation of a 2014 vintage 440 horsepower Caterpillar C13 diesel engine, a 2008 vintage 440 horsepower Caterpillar C13 diesel engine, a 2003 vintage 300 horsepower Caterpillar C9 diesel engine, a 2015 vintage 350 horsepower Caterpillar C9 diesel engine, a 2008 vintage 100 horsepower Deutz diesel engine, a 2006 vintage 100 horsepower Deutz diesel engine, a 2010 vintage 129 horsepower Caterpillar C4.4 diesel engine and a 2017 vintage 131 horsepower Caterpillar C4.4 diesel engine pursuant to the General Plan Approval and General Operating Permit for Diesel or No. 2 Fuel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at their Rocky Forrest Quarry located in Wilmot Township, **Bradford County**.

GP3-59-251: DeCristo, Inc. (9070 Route 414, Canton, PA 17724) on November 28, 2018, to authorize the relocation and operation of a 400 ton per hour, Terex Pegson XA400S portable crusher, a 370 ton per hour, Finlay C-1550P portable crusher, a 550 ton per hour, PremierTrak model 600 portable crusher, a 550 ton per hour, Powerscreen Trakpactor model 550 portable crusher, a 550 ton per hour, Terex model C1545 portable crusher, a Powerscreen Chieftain 2100 triple deck portable screener,

a Powerscreen Warrior 1800 double deck portable screener, a Terex Finlay 694+ double deck portable screener, a Powerscreen Warrior 2400 double deck portable screener, a 600 ton per hour, Powerscreen model H6203 portable screener, three (3) Telestacker TC421 portable conveyor-stackers, a 600 ton per hour, Maximus TFC-80 portable conveyor-stacker, a McCloskey SDX100 portable conveyor-stacker and a 600 ton per hour, McCloskey SDX130 portable conveyor-stacker pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Dunbar # 1 Quarry located in Chatham and Westfield Townships, **Tioga County**.

GP9-59-251: DeCristo, Inc. (9070 Route 414, Canton, PA 17724) on November 28, 2018 to authorize the relocation and operation of a 2008 vintage 300 horsepower Caterpillar C-9 DITA diesel engine, a 2013 vintage 540 horsepower Caterpillar C-15 diesel engine, a 2016 vintage 444 horsepower Scania DC13 84A diesel engine, a 2017 vintage 493 horsepower Scania DC13 085A diesel engine, a 2017 vintage 444 horsepower Scania DC13 084A diesel engine, a 2008 vintage 129.4 horsepower Caterpillar C4.4 diesel engine, a 2008 vintage 99.9 horsepower Caterpillar 3054C DITA diesel engine, a 2012 vintage 131.4 horsepower Caterpillar C4.4 diesel engine, a 2016 vintage 202.5 horsepower Caterpillar C7.1 diesel engine, a 2010 vintage 202.5 horsepower Caterpillar C6.6 diesel engine, a 2015 vintage 129.4 horsepower Caterpillar C4.4 diesel engine, a 2016 vintage 100.5 horsepower Caterpillar C3.4B diesel engine and a 2018 vintage horsepower 131 Caterpillar C4.4 diesel engine pursuant to the General Plan Approval and General Operating Permit for Diesel or No. 2 Fuel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at their Dunbar # 1 Quarry located in Chatham and Westfield Townships, **Tioga County**.

GP3-59-247A: DeCristo, Inc. (9070 Route 414, Canton, PA 17724) on November 28, 2018, to authorize the relocation and operation of a 400 ton per hour, Terex Pegson XA400S portable crusher, a 370 ton per hour, Finlay C-1550P portable crusher, a 550 ton per hour, PremierTrak model 600 portable crusher, a 550 ton per hour, Powerscreen Trakpactor model 550 portable crusher, a 550 ton per hour, Terex model C1545 portable crusher, a Powerscreen Chieftain 2100 triple deck portable screener, a Powerscreen Warrior 1800 double deck portable screener, a Terex Finlay 694+ double deck portable screener, a Powerscreen Warrior 2400 double deck portable screener, a 600 ton per hour, Powerscreen model H6203 portable screener, three (3) Telestacker TC421 portable conveyor-stackers, a 600 ton per hour, Maximus TFC-80 portable conveyor-stacker, a McCloskey SDX100 portable conveyor-stacker and a 600 ton per hour, McCloskey SDX130 portable conveyor-stacker pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Tioga Quarry located in Middlebury Township, **Tioga County**.

GP9-59-247A: DeCristo, Inc. (9070 Route 414, Canton, PA 17724) on November 28, 2018 to authorize the relocation and operation of a 2008 vintage 300 horsepower Caterpillar C-9 DITA diesel engine, a 2013 vintage 540 horsepower Caterpillar C-15 diesel engine, a 2016 vintage 444 horsepower Scania DC13 84A diesel engine, a 2017 vintage 493 horsepower Scania DC13 085A diesel engine, a 2017 vintage 444 horsepower Scania DC13 084A diesel engine, a 2008 vintage 129.4 horsepower Caterpillar C4.4 diesel engine, a 2008 vintage 99.9 horsepower

Caterpillar 3054C DITA diesel engine, a 2012 vintage 131.4 horsepower Caterpillar C4.4 diesel engine, a 2016 vintage 202.5 horsepower Caterpillar C7.1 diesel engine, a 2010 vintage 202.5 horsepower Caterpillar C6.6 diesel engine, a 2015 vintage 129.4 horsepower Caterpillar C4.4 diesel engine, a 2016 vintage 100.5 horsepower Caterpillar C3.4B diesel engine and a 2018 vintage horsepower 131 Caterpillar C4.4 diesel engine pursuant to the General Plan Approval and General Operating Permit for Diesel or No. 2 Fuel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at their Tioga Quarry located in Middlebury Township, **Tioga County**.

GP3-59-245B: DeCristo, Inc. (9070 Route 414, Canton, PA 17724) on November 28, 2018, to authorize the relocation and operation of a 400 ton per hour, Terex Pegson XA400S portable crusher, a 370 ton per hour, Finlay C-1550P portable crusher, a 550 ton per hour, PremierTrak model 600 portable crusher, a 550 ton per hour, Powerscreen Trakpactor model 550 portable crusher, a 550 ton per hour, Terex model C1545 portable crusher, a Powerscreen Chieftain 2100 triple deck portable screener, a Powerscreen Warrior 1800 double deck portable screener, a Terex Finlay 694+ double deck portable screener, a Powerscreen Warrior 2400 double deck portable screener, a 600 ton per hour, Powerscreen model H6203 portable screener, three (3) Telestacker TC421 portable conveyor-stackers, a 600 ton per hour, Maximus TFC-80 portable conveyor-stacker, a McCloskey SDX100 portable conveyor-stacker and a 600 ton per hour, McCloskey SDX130 portable conveyor-stacker pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their Armenia Mountain Quarry located in Sullivan Township, **Tioga County**.

GP9-59-245B: DeCristo, Inc. (9070 Route 414, Canton, PA 17724) on November 28, 2018 to authorize the relocation and operation of a 2008 vintage 300 horsepower Caterpillar C-9 DITA diesel engine, a 2013 vintage 540 horsepower Caterpillar C-15 diesel engine, a 2016 vintage 444 horsepower Scania DC13 84A diesel engine, a 2017 vintage 493 horsepower Scania DC13 085A diesel engine, a 2017 vintage 444 horsepower Scania DC13 084A diesel engine, a 2008 vintage 129.4 horsepower Caterpillar C4.4 diesel engine, a 2008 vintage 99.9 horsepower Caterpillar 3054C DITA diesel engine, a 2012 vintage 131.4 horsepower Caterpillar C4.4 diesel engine, a 2016 vintage 202.5 horsepower Caterpillar C7.1 diesel engine, a 2010 vintage 202.5 horsepower Caterpillar C6.6 diesel engine, a 2015 vintage 129.4 horsepower Caterpillar C4.4 diesel engine, a 2016 vintage 100.5 horsepower Caterpillar C3.4B diesel engine and a 2018 vintage horsepower 131 Caterpillar C4.4 diesel engine pursuant to the General Plan Approval and General Operating Permit for Diesel or No. 2 Fuel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at their Armenia Mountain Quarry located in Sullivan Township, **Tioga County**.

AG5-41-00004A: Regency Marcellus Gas Gathering, LLC (101 West Third Street, Williamsport, PA 17701) on November 27, 2018, for authorization for the continued operation of three (3) 1,380 bhp Caterpillar model G3516 compressor engines each equipped with Miratech model SP-ZES-30x31-14 oxidation catalysts, five (5) 1,380 bhp natural-gas-fired Caterpillar model G3516B ultra-lean-burn compressor engines each equipped with a Miratech model ZXS-RE-FULL354XH oxidation catalyst, one (1) 100 MMscfd TEG dehydration unit equipped with a 2.0 MMBtu/hr natural gas-fired reboiler burner and a still vent condenser, two (1) 10,000 gallon produce fluids

storage tanks, eight (8) 520 gallon compressor oil tanks, eight (8) 520 gallon lube oil tanks, two (2) 1,000 gallon used oil tanks, two (2) 520 gallon waste oil/slop water tanks, one (1) 500 gallon methanol tank, three (3) 330 gallon methanol tanks, eight (8) engine coolant tanks, one (1) tri-ethylene glycol tank, and various fugitive emissions from fittings, connections, blowdowns, pigging, pneumatic controllers, etc. pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations at the Quaker State Road Compressor Station located in Fairfield Township, **Lycoming 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.

GP1-65-00016B: Carpenter Latrobe Specialty Metals (2626 Ligonier St., P.O. Box 31, Latrobe, PA 15650-0031) on November 28, 2018, for the authorization to construct and operate a 25.106 MMBtu/hr natural gas-fired Superior Seminole 3-Pass boiler rated at 600 H.P. at the Carpenter Latrobe facility in the city of Latrobe, **Westmoreland County**.

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

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

GP1-37-144C: UPMC Jameson (1211 Wilmington Ave., New Castle, PA 16105) on November 19, 2018, for the authority to continue operation of two natural gas fired boilers (12.6 MMBtu/hr) (BAQ-GPS/GP1) located at their facility in New Castle City, **Lawrence County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

39-00108A: TierPoint, LLC (9999 Hamilton Blvd, Breinigsville, PA 18031) on November 28, 2018 for the installation and operation nine (9) new emergency generators for their TierPoint, Two LLC—TekPark facility located in Lower Macungie Township, **Lehigh County**.

39-00004D: Mack Trucks, Inc. (700 Alburts Road, Macungie, PA 18062) on October 17, 2018 for approval of an alternate method of compliance in accordance with 25 Pa. Code § 129.51 to comply with the VOC content limits of 25 Pa. Code § 129.52d on their “G” line Chassis spray booth and oven at their facility in Lower Macungie Township, **Lehigh 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.

36-05158D: Perdue AgriBusiness, LLC (1897 River Road, Marietta, PA 17547) on November 27, 2018, for the

modification of the vertical seed conditioner (VSC) fan discharge and the ability to combust propane in Grain Dryer No. 2 (Source ID 104) at the soybean processing facility in Conoy Township, **Lancaster 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.

63-00538: Dynamet, Inc. (195 Museum Road, Washington, PA 15301) On November 27, 2018, for the rebuild and initial temporary operation of a chemical mill for pickling of titanium products controlled by two (2) scrubbers at the Arden Facility located in Chartiers Township, **Washington County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

46-0013E: Clemens Food Group (P.O. Box 902, 2700 Clemens Rd., Hatfield, PA 19440-0902) On November 20, 2018 an extension for the removal and replacement of existing control devices mechanical dynamic precipitator (Source ID: C08), reverse jet scrubber (Source ID: C09), and biofiltration bed (Source ID: C10) on the WWTP Sludge Dryer (Source ID: 102) with new control devices (e.g., venturi scrubber (Source ID: C11) and packed tower scrubber (Source ID: C12)) in Hatfield Township, **Montgomery County**.

46-0031F: GlaxoSmithKline LLC (1250 S Collegeville Rd., Collegeville, PA 19426-2990) On November 20, 2018 to extend the temporary operation period for a 2,000-kw emergency generator operating on diesel/No. 2 Fuel Oil in Upper Providence Township, **Montgomery County**.

46-0041F: Graphic Packaging International, Inc. (1035 Longford Rd., Phoenixville, PA 19460-1205) On November 29, 2018 an extension for the installation of a new non-heatset sheetfed offset lithographic printing press (Source ID 218) in Upper Providence Township, **Montgomery County**.

09-0053C: Greif Packaging LLC (695 Louis Dr., Warminster, PA 18974-2825) On November 29, 2018 to extend the temporary operation period for the following at an existing steel drum manufacturing facility:

(a) Installation and operation of a new steel drum exterior paint spray booth and enclosure.

(b) Either of the following for an existing steel drum exterior paint spray booth (Source ID 301 in Title V Operating Permit No. 09-00053) once shakedown has been completed for the new spray booth:

(1) Removal of the existing spray booth from the facility.

(2) Rendering the existing spray booth permanently inoperable (as verified by the Department).

(c) Relocation of the new spray booth and enclosure to the same physical location as the existing spray booth (if removed from the facility).

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

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

06-05069V: East Penn Manufacturing Co., Inc. (P.O. Box 147, Lyon Station, PA 19536) on November 28, 2018, for modifying the Industrial Facility production lines at the lead-acid battery assembly plant located in Richmond Township, **Berks County**. Plan Approval 06-05069V is for installation and startup of pieces of equipment controlled by fabric filters and mist eliminators. The plan approval was extended.

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

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

18-00009F: Clinton County Solid Waste Authority (P.O. Box 209, McElhattan, PA 17748) on November 15, 2018, for an extension to plan approval authorization for an additional 180 days from November 18, 2018, to May 17, 2019, for the construction and operation of the Northside municipal solid waste landfill expansion located in Wayne Township, **Clinton County**. The plan approval has been extended.

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

Contact: Ed Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.

PA-63-00155B: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201-1504), on December 03, 2018, 180-day plan approval extension issued for Dutch Run Coal Preparation Plant to continue operation at their existing coal processing facility located in Plumcreek Township, **Armstrong County**.

65-00921A: Smithfield Packaged Meat Corp. (2200 Rivers Edge Drive, Arnold, PA 15068) On December 3, 2018, to allow the continued temporary operation of the Quickdraft venturi scrubber on Line 3 at the Arnold Plant located in City of Arnold, **Westmoreland County**.

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

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

42-095C: Georgia Pacific Corrugated, LLC—Bradford Plant (One Owens Way, Bradford, PA 16701) on November 27, 2018, effective November 30, 2018, has issued a plan approval extension for the installation of a cyclone as replacement for existing control devices associated with Source ED 101 in Bradford Township, **McKean County**. This is a State Only facility. This expires May 31, 2019.

43-384A: Davis Alloys MFG LLC (295 E High St. Ext., Sharpsville, PA 16150) on November 27, 2018, effective November 30, 2018, has issued a plan approval extension to add a control device to the Melt Shop section at your facility in Sharpsville Borough, **Mercer County**. This will expire on May 31, 2019.

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

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

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

54-00074: UGI Development Co (1 Meridian Blvd, Wyomissing, PA 19610-3325) The Department issued, on 11/15/18, a Title V Operating Permit renewal for operation of a landfill gas-to-energy facility in Foster Township, **Schuylkill County**. The Title V Operating Permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

13-00003: Panther Creek Power Operating LLC, Nesquehoning (4 Denison Rd., Nesquehoning, PA 18240-2242). On November 27, 2018, the Department issued a renewal Title V Operating Permit for the electric generation facility located in Nesquehoning Borough, **Carbon County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The main sources at this facility consist of two fluidized bed boilers, ash handling systems, fly ash filter separators, and a diesel fire pump. The sources are controlled by baghouses and fabric filters. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds.

On April 23, 2016, the Pennsylvania Department of Environmental Protection (PADEP) published 25 Pa. Code §§ 129.96—129.100, Additional RACT Requirements for Major Sources of NO_x and VOC, also known as Reasonably Available Control Technology (RACT) 2. Panther Creek Power Operating LLC, Nesquehoning qualifies as a major source of NO_x emissions because facility-wide potential NO_x emissions are above the RACT 2 major source threshold (i.e., 100 tons per year). As a result, the NO_x-emitting operations at the facility will be subject to the provisions of the RACT 2 rule. The NO_x emitting sources at the facility are Source ID # 031 and # 032, the Circulating Fluidized Bed (CFB) Boilers. The RACT 2 requirements are included in the TV Operating Permit.

The Title V Operating Permit includes emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

48-00021: Northampton Generating Co LP/Northampton Facility (NGC), (1 Horwith Drive, Northampton, PA 18067-9728). On November 27, 2018, the Department issued a renewal Title V Operating Permit for the electric generation facility located in Northampton Borough, **Northampton County**. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G.

The main sources at this facility consist of one fluidized bed boiler, ash handling systems, ash storage and loadout, an emergency generator, a diesel boiler emergency feed pump, and a diesel fire pump. The sources are controlled by baghouses and collectors. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds.

On April 23, 2016, the Pennsylvania Department of Environmental Protection (PADEP) published 25 Pa. Code

§§ 129.96—129.100, Additional RACT Requirements for Major Sources of NO_x and VOC, also known as Reasonably Available Control Technology (RACT) 2. Northampton Generating Co LP/Northampton Facility (NGC) qualifies as a major source of NO_x emissions because facility-wide potential NO_x emissions are above the RACT 2 major source threshold (i.e., 100 tons per year). As a result, the NO_x-emitting operations at the facility will be subject to the provisions of the RACT 2 rule. The NO_x emitting source at the facility is Source ID # 001, the Circulating Fluidized Bed (CFB) Boiler. The RACT 2 requirements are included in the TV Operating Permit.

The Title V Operating Permit includes emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

40-00138: Valmont Newmark, Inc. (Heights Facility, 101 Carleton Avenue, Hazleton PA 18201). On December 4, 2018 the Department issued an initial State-Only Natural Minor Permit for Valmont Newmark, Inc. located in the City of Hazleton, **Luzerne County** for their manufacturing of fabricated steel poles for the electrical utilities and communications industries. The plant has multiple plasma cutters and welding operations. These 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 permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

06-03055: Oley Valley Animal Clinic (900 Blandon Road, P.O. Box 109, Oley, PA 19547-0109) on November 27, 2018, for the animal crematory facility located in Ruscombmanor Township, **Berks County**. The State-only permit was renewed.

06-03009: Bally Block Company (30 South 7th Street, Bally, PA 19503-9665) on November 19, 2018, for the wood countertop and accessory manufacturing facility located in Bally Borough, **Berks County**. The State-only permit was renewed.

67-03151: Kenworthy Funeral Home, Inc. (269 Frederick Street, Hanover, PA 17331-3614) on November 28, 2018, for the human crematory facility located in Hanover Borough, **York County**. The State-only permit was renewed.

01-05043: Tucker Liquid Industrial Coatings, Inc. (407 North Avenue, East Berlin, PA 17316-7813) on November 28, 2018, for the surface coating facility located in East Berlin Borough, **Adams County**.

36-03124: Reading Group LLC (1363 Bowmansville Road, P.O. Box 555, Bowmansville, PA 17507-0555) on November 26, 2018, for the custom truck assembly facility located in Brecknock Township, **Lancaster County**. The State-only permit was renewed.

36-03103: Kunzler & Company, Inc. (652 Manor Street, Lancaster, PA 17603-5108) on November 21, 2016, for the meat processing facility located in Lancaster City, **Lancaster County**. The State-only permit was renewed.

06-03171: Dengler Funeral Home, Inc. (144 North Spruce Street, Birdsboro, PA 19508-2038) on November 29, 2018, for the human crematory facility located in Birdsboro Borough, **Berks County**.

21-05052: Valk Manufacturing Co. (66 East Main Street, P.O. Box 428, New Kingstown, PA 17072-0428) on November 30, 2018, for the plow and plow blade manufacturing facility located in Silver Spring Township, **Cumberland County**. The State-only permit was renewed.

36-03204: Miller Fiberglass (590 Gibbons Road, Bird In Hand, PA 17505-9786) on November 29, 2018, for the custom fiberglass and plastic products manufacturing facility located in Upper Leacock Township, **Lancaster County**.

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

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

17-00020: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) was issued on November 21, 2018, a State Only operating permit (renewal) for their DuBois Plant facility located in Sandy Township, **Clearfield County**. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the permit.

17-00027: River Hill Coal Co., Inc. (P.O. Box 141, Kylertown, PA 16847-0141) was issued on November 28, 2018, a State Only operating permit (renewal) for their Belford Siding Coal Preparation Plant facility located in the Karthaus Township, **Clearfield County**. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the permit.

57-00006: Dwight Lewis Lumber Company (1895 Route 87, P.O. Box A, Hillsgrove, PA 18619) on November 28, 2018 was issued a State only operating permit for their lumber mill located in Hillsgrove Township, **Sullivan County**. The State only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

SOOP-65-00914: Preform Specialties Inc. (176 Cherry Street, Blairsville, PA 15717-4358) State Only Operating Permit renewal issuance date effective December 04, 2018, for their Machine Tools and Metal Cutting Plant located in Derry Township, **Westmoreland County**.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

20-00130: Meadville Forging Company, (P.O. Box 459, 15309 Baldwin Street Extension, Meadville, PA 16335-0459), on November 28, 2018, the Department issued the renewal of the Natural Minor State-Only Operating Permit to a facility which manufactures closed-die forged products. The company provides engineering and design services, die making and forging, as well as heat treating and machining, located in the City of Meadville, **Crawford County**. The primary sources at the facility are natural gas fueled space heating, an endo generator, forging presses, heat treating equipment, die rooms, parts washers, parts preheaters, shot blasters, facility roads, emergency generators and steel yard production saws. Potential emissions for the site are below Title V permitting thresholds for all criteria pollutants and have been estimated as follows: SO_x, 0.022 ton per year (tpy); PM₁₀, 0.994 tpy; NO_x, 1.632 tpy, VOC, 20.999 tpy. The permit contains emission restrictions, along with monitoring, recordkeeping, reporting, work practice and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

42-00147: W.R. Case & Sons Cutlery Company, (50 Owens Way, P.O. Box 4000, Bradford, PA 16701-3749), on November 28, 2018, the Department issued the renewal of the Natural Minor State-Only Operating Permit to a facility which manufactures knife blades and handles, located in Bradford Township, **McKean County**. The primary sources at the facility are miscellaneous natural gas fueled space heating units, a hafting department, finishing and repair departments, a cover line department, an emergency generator, parts cleaners, a manual cover line and CNC Cover Department and an ultrasonic cleaning line. Potential emissions for the site are below Title V permitting thresholds for all criteria pollutants. The permit contains emission and operating hour restrictions, along with monitoring, recordkeeping, work practice and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

46-00098: Edon Composites LLC, formerly known as Edon Corporation (1160 Easton Road, Horsham, PA 19044) On November 19, 2018 for change of ownership and change in responsible official at the facility located in Horsham Township, **Montgomery County**. The Administrative Amendment of the State-Only Operating Permit for this facility is issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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.

67-05001: Magnesita Refractories Company (425 S. Salem Church Road, York, PA 17408-5955) on November 27, 2018, for the refractories manufacturing facility in West Manchester Township, **York County**. The Title V permit underwent a significant modification to address consolidation of RACT 1 conditions for the facility, and addition of presumptive and case-by-case RACT 2 requirements for the facility. The portions of the permit related to approval of the RACT 2 case-by-case proposal and superseding of the RACT 1 requirements will be submitted to US EPA for approval and incorporation into Pennsylvania's State Implementation Plan (SIP). Other requirements will be excluded from the SIP submittal.

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

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

53-00016: Tennessee Gas Pipeline Company LLC (1001 Louisiana Street, Houston, TX 77002) was issued an amended permit on November 20, 2018, to reflect the change in the Responsible Official for their Ellisburg Booster Station (313A) facility in Genesee Township, **Potter County**.

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

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

42-00061: Dresser Pipeline Solutions (41 Fisher Avenue, Bradford, PA 16701). The Department on November 30, 2018, issued an administrative amendment of the State Operating Permit for the facility to incorporate the change of ownership and Tax ID. The new owner is Natural Gas Solutions North America, LLC. The facility is located in Bradford City, **McKean County**.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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.

TV-65-00016: Carpenter Latrobe Specialty Metals (2626 Ligonier St., P.O. Box 31, Latrobe, PA 15650). Per 25 Pa. Code § 127.449(i), this Notice is for the following de minimis emission increase at the Carpenter Latrobe Specialty Metals Latrobe Plant located in the City of Latrobe, **Westmoreland County**:

This project is for the installation of an American Air Filter Type N RotoClone Hydrostatic Precipitator rated at 3,700 scfm on the existing VIM Furnace (Source ID 201). The emission changes resulting from this action are an increase of 0.1 ton per year PM₁₀. As part of this project, the permittee is proposing to install mechanical pumps to create a vacuum inside the VIM Furnace which will result in the shutdown of existing Boilers # 6 & # 7—VIM/VAR (Source ID 051).

This project will not trigger the requirements of 25 Pa. Code Subchapter E or 40 CFR Part 52 at the facility. The list of de minimis increases for this facility includes only this project.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

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

02841304 and NPDES No. PA0236497 (formerly PA0041785). Tesone Land Company, (8961 Conference Drive, Ft. Myers, FL 33919). To renew the NPDES permit for the Allegheny Mine and Preparation Plant in Fawn Township, **Allegheny County** and change the NPDES number because this facility was inadvertently assigned a duplicate number. No additional discharges. The application was considered administratively complete on April 18, 2016. Application received: July 10, 2015. Permit issued: November 26, 2018.

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

Permit No. 35180202. D & L Realty, (400 Mill Street, Dunmore, PA 18512), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Mayfield Borough and Carbondale Township, **Lackawanna County** affecting 98.0 acres, receiving stream: Powderly Creek. Application received: November 14, 2017. Permit issued: November 30, 2018.

Permit No. PAM118031, D & L Realty, (400 Mill Street, Dunmore, PA 18512), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 35180202 in Mayfield Borough and Carbondale Township, **Lackawanna County**, receiving stream: Powderly Creek. Application received: November 14, 2017. Permit issued: November 30, 2018.

Noncoal Permits Issued

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

PAM218022. Dale E. Vanderpool, (3031 Spring Lake Road, Wyalusing, PA 18853), hereby approves the Notice of Intent (NOI) submitted for coverage to discharge storm water associated with an existing small industrial mineral mining permit 08980808 to the following surface water(s) in Terry Township, **Bradford County**. Receiving stream(s): North Branch of the Susquehanna River. Application received: August 15, 2018. Permit Issued: November 21, 2018.

PAM218020. Jean J. Fink, (8 Turner Road, Sugar Run, PA 18846), hereby approves the Notice of Intent (NOI) submitted for coverage to discharge storm water associated with an existing small industrial mineral mining permit 08010813 to the following surface water(s) in Wilmot Township, **Bradford County**. Receiving stream(s): Susquehanna River. Application received: July 11, 2018. Permit Issued: November 21, 2018.

08180801. Harry Silvers (147-53 Chevy Lane, Towanda, PA 18848), commencement, operation and restoration of a small noncoal industrial minerals surface mine permit (Bluestone) in Terry Township, **Bradford County** affecting 1.0 acre. Receiving stream(s): Unnamed Tributary to Susquehanna River classified for the following use(s): WWF and MF. Application received: June 27, 2018. Permit Issued: November 13, 2018.

08162802. Black Knight Quarries, Inc. (293 Beacon Light Road, Towanda, PA 18848). Final bond release for a small industrial minerals surface mine located in Wilmot Township, **Bradford County**. Restoration of 1.0 acre completed. Receiving stream(s): Panther Run Tributary to Sugar Run. Application received: November 13, 2018. Final bond release approved: November 29, 2018.

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

Permit No. 7775SM10C8 and NPDES Permit No. PA0225681. Lehigh Cement Co., LLC, (7660 Imperial Way, Allentown, PA 18195), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Maiden Creek Township, **Berks County**, receiving stream: Maiden Creek. Application received: January 24, 2017. Renewal issued: November 28, 2018.

Permit No. 7974SM1C9 and NPDES Permit No. PA0594121. Hanson Aggregates PA, LLC, (7660 Imperial Way, Allentown, PA 18195), renewal of NPDES permit for discharge of treated mine drainage from a quarry operation in Rock Hill Township, **Bucks County**, receiving stream: Tohickon Creek. Application received: January 19, 2018. Renewal issued: November 28, 2018.

Permit No. 09870301C18 and NPDES Permit No. PA0593796. Warner Company, (1000 New Ford Mill Road, Morrisville, PA 19067), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Falls Township, **Bucks County**, receiving stream: unnamed tributary to Delaware River. Application received: February 16, 2018. Renewal issued: November 28, 2018.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

Permit No. 36184141. Abel Construction Co., Inc., (P.O. Box 476, Mountville, PA 17554), construction blasting for High Meadow in Manheim Township, **Lancaster County** with an expiration date of May 31, 2019. Permit issued: November 28, 2018.

Permit No. 38184118. M & J Explosives, LLC, (P.O. Box 1248, Carlisle, PA 17013), construction blasting for Greystone Crossing in North Cornwall Township, **Lebanon County** with an expiration date of November 5, 2019. Permit issued: November 28, 2018.

Permit No. 48184115. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Creekside Meadows in East Allen Township, **Northampton County** with an expiration date of December 31, 2019. Permit issued: November 29, 2018.

Permit No. 06181417. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Reserve at Grings Mill in Spring Township, **Berks County** with an expiration date of November 13, 2019. Permit issued: November 30, 2018.

Permit No. 58184119. DW Drilling & Blasting, (2733 East Battlefield Street # 320, Springfield, MO 65804) construction blasting for Burke G Pad 1 in Auburn Township, **Susquehanna County** with an expiration date of November 27, 2019. Permit issued: November 30, 2018.

Permit No. 64184105. Holbert Explosives, Inc., (237 Mast Hope Plank Road, Suite A, Lackawaxen, PA 18435), construction blasting for Joe Canfield Logging in Damascus Township, **Wayne County** with an expiration date of October 9, 2021. Permit issued: November 30, 2018.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once.

Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1164: Lower Perkiomen Valley Regional Sewer Authority (LPVRS), 110 Station Avenue, P.O. Box 297, Oaks, PA 19456, Collegeville Borough, Lower Providence Township, Upper Providence Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the floodway/floodplain of the Perkiomen Creek (WWF) associated with the Lower Perkiomen Valley Regional Sewer Authority's (LPVRS) proposed installation of approximately 17,200 linear feet of sanitary sewer interceptor paralleling existing interceptor:

1. To construct and maintain approximately 5,300-linear feet of 42-inch diameter pipe; 6,300-linear feet of 48-inch diameter pipe; 2,100-linear feet of 54-inch diameter pipe; and 3,500-linear feet of 60-inch diameter pipe.

2. To construct and maintain sixty-five (65) new manholes and appurtenances in the floodway/floodplain of the stream to facilitate the sewer interceptor installation. Rim elevations for the manholes will be within 6 inches from the existing grade.

3. To construct two temporary crossings across Doe Run (WWF) and an unnamed tributary to Doe Run to facilitate equipment movement and other material transfer associated with the construction of the sewer interceptor.

4. The project includes approximately 20 stream crossings across Perkiomen Creek and unnamed tributary to the Perkiomen Creek (WWF) commencing and ending at various stations and segments as indicated on project design drawings.

5. The project includes approximately 0.19 acre of temporary wetlands (PEM) impacts, and approximately 0.011 acre of permanent wetland impacts at stations 62+14 (crossing L7), 66+87 (crossing C6), and 133+48 (crossing C15) to compliment the sewer installation.

The project site commences at the confluence of the Skippack Creek with the Perkiomen Creek and runs northward ending approximately 1,350 linear feet south of the Germantown Pike Bridge (Perkiomen Bridge, SR 0422) crossing over the Perkiomen Creek (USGS Collegeville, PA Quadrangle Latitude: 40.182421; Longitude: -75.447913).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E23-547. City of Chester, 14th Street, Chester, PA 19013, Chester City, **Delaware County**, ACOE Philadelphia District.

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)).

To construct and maintain a multi-use trail recreational trail system with a total disturbance of 11.1 acres resulting in permanent floodway and floodplain impacts of Chester Creek (WWF, MF). These activities include the construction and maintenance of five (5) stormwater outfalls, including the placement of riprap rock aprons, 850 linear feet of stream bank stabilization, three (3) bio-retention basins, two (2) bioswales, 12-foot wide pedestrian trail and minor grading resulting in a total of 344,859 square feet (7.9 acres) of permanent floodway impacts at both site locations at Crozer to Deshong Park Trail and Crozer Park Trail. This project will result in 45,104 square feet (1.0 acre) of floodplain impact. The project is located along 2 miles of Chester Creek starting from Crozer Park and ends at 9th and Edgmont Avenue in Chester City, Delaware County (USGS PA Bridgeport; Marcus Hook Quadrangle—Latitude 39.850519, Longitude -75.380635).

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)).

E51-287. Penn Treaty Homes, LLC, 1749 E. 9th Street, Brooklyn, NY 11223, Philadelphia City, ACOE Philadelphia District.

To construct and maintain six (6) residential housing units with associated site utilities resulting in the occupation of 8,417 square feet (0.019 acre) of previously filled submerged lands of the Commonwealth along the Delaware River (WWF). Also included is an existing outfall previously authorized under GP045118301. This project is located at 1143-51 North Delaware Avenue (Pier 53N) in Philadelphia (USGS PA Philadelphia Quadrangle—Latitude 39.965491 N, Longitude 75.129681 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)).

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

E66-167. Sugar Hollow Water Services, LLC, 21 Sugar Hollow Road, Tunkhannock, PA 18657. Eaton Township, **Wyoming County**, Army Corps of Engineers Baltimore District.

To operate and maintain a water intake structure in Bowman's Creek (HQ-CWF, MF) consisting of two 6-inch floating suction strainers, and to maintain an existing stone pad within the floodway of Bowman's Creek having an area of approximately 244 square feet. The project is located on the west side of State Route 0029 approximately 3.2 miles from the intersection of East Tioga Street (Factoryville, PA Quadrangle Latitude: 41°30'11"; Longitude: -75°59'4"). Subbasin 4G.

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

E47-098. PPL Utilities Corporation, 2 North Ninth Street, Allentown, PA 18101-1179, Danville Area Reliabil-

ity Project: Columbia—Danville 69 kV Rebuild, in Rush Township, **Northumberland County** ACOE Baltimore District (see individual impacts on chart).

To construct, operate and maintain the PPL Columbia-Danville 69 kV Rebuild project to rebuild approximately 6.1± miles of 69-kV, double-circuit, electric, transmission line in Danville Borough, Mahoning and Cooper Townships in **Montour County**, Pennsylvania. The project consists of the replacement of electric-transmission-structure locations with associated gravel and timber mat-work pads and access roads, needed to complete the work. Existing wooden structures will be replaced with steel monopoles along the existing ROW and near existing structures locations. The average height of the existing structures is 70', with the proposed structures averaging 95' in height. Since this project spans two counties, the designer developed it as one project; although, broke it into two separate submissions by County. Thus, the designations of the activities may have "A" or "B" designations. Below is a listing of the impacts and associated authorizations.

Impact 1A:

This is a permanent impact for the overhead line, traversing across the Susquehanna River, WWF. This impact qualifies for a General Permit number 5 and is authorized in accordance with these actions although included in this application package to a single-application submission. This crossing also is associated with an SLLA submission for the given waterbody. Latitude: 40.9480; Longitude: -76.6079.

Impact 3A:

This is a permanent impact for the overhead line, traversing across the Susquehanna River, WWF. This impact qualifies for a General Permit number 5 and is authorized in accordance with these actions although included in this application package to a single-application submission. This crossing also is associated with a SLLA submission for the given waterbody. Latitude: 40.9398; Longitude: -76.5604.

Impact 6:

This is a permanent impact for structure 11, which measures 12-ft diameter and 12-ft above ground in the floodway of the Unnamed Tributary to the Susquehanna River, WWF. The foundation structure will be replacing an existing structure within the floodway. Therefore, the concrete foundations in the floodways will have de minimis impact on the flood elevations due to the minimal increase in obstruction area within the floodway. An analysis to determine flood-elevation increases was not performed. Latitude: 40.9414; Longitude: -76.5601.

Impact 7:

This temporary impact dimensions are shown in the following table. Temporary matting within the floodway is necessary to protect the area from unnecessary disturbance of the surrounding area and to provide stable access to and for the installation of structure 13. The impact that authorizes a temporary floodway impact is located in the watershed of an Unnamed Tributary to the Susquehanna River watershed, WWF. Latitude: 40.9414; Longitude: -76.5600.

<i>Columbia—Danville 69 kV Rebuild (DANV-EDAN)—Montour Co</i>							<i>Date: June 12, 2018</i>		
<i>Project Information</i>								<i>PA DEP/105</i>	
<i>Structure/Activity</i>	<i>Aquatic Resource Type</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Waters Name</i>	<i>PA Code Chapter 93 designation</i>	<i>Work Proposed</i>	<i>Impact Type</i>	<i>Watercourse Impact</i>	<i>Floodway Impact</i>
								<i>Length and Width</i>	<i>Length and Width</i>
Impact 1A/GP-5-1	Perennial	40.9480	-76.6079	Susquehanna River	WWF, MF	Aerial utility line	Perm	410—2	181—2
Impact 3A/GP-5-2	Perennial	40.9396	-76.5604	Susquehanna River	WWF, MF	Aerial utility line	Perm	624—2	76—2
Impact 6/JPA-1	Perennial	40.9414	-76.5601	UNT Susquehanna River	WWF, MF	Structure Foundation	Perm	N/A	11—12
Impact 7/JPA-2	Perennial	40.9414	-76.5600	UNT Susquehanna River	WWF, MF	Temporary Timber Matting Pad	Temp	N/A	80—37

This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E49-349. PPL Utilities Corporation, 2 North Ninth Street, Allentown, PA 18101-1179, Danville Area Reliability Project: Columbia—Danville 69 kV Rebuild, in Rush Township, **Northumberland County** ACOE Baltimore District (see individual impacts on chart).

To construct, operate, and maintain the PPL Columbia—Danville 69 kV Rebuild project to rebuild approximately 6.1 ± miles of 69 kV double circuit electric transmission line in Rush Township in Northumberland

County, Pennsylvania. The project consists of the replacement of electric transmission structures locations with associated gravel and timber-mat work pads and access roads, needed to complete the work. Existing wooden structures will be replaced with steel monopoles along the existing ROW and near existing structures locations. The average height of the existing structures is 70', with the proposed structures averaging 95' in height. Since this project spans two counties, the designer developed it as one project; although, broke it into two separate submissions by County. Thus, the designations of the activities may have "A" or "B" designations. Below is a listing of the impacts and associated authorizations.

Impact 1B:

This is a permanent impact for the overhead 69 kV transmission line traversing across the Susquehanna River, WWF. This crossing also is associated with a SLLA submission for the given waterbody.

Impact 2:

This temporary impact qualifies for a General Permit number 8 and is authorized in accordance with these actions although included in this application package to a single application submission. This impact authorizes a temporary crossing of Logan Run, CWF. The use of timber mats for an equipment crossing is necessary for completion of work. This timber bridge impacts are 14 ft. long and 9 ft. wide, access road floodway impacts associated with this crossing measure 239 ft. long and 13 ft. wide.

Impact 3B:

This is a permanent impact for the overhead 69 kV transmission line traversing across the Susquehanna River, WWF. This impact qualifies for a General Permit

number 5 and is authorized in accordance with these actions. This crossing also is associated with an existing SLLA for the given waterbody.

Impact 4:

This is a permanent impact for structure 14, which measures 12-ft. diameter and 12-ft. above-ground in the floodway of the Susquehanna River, WWF. The foundation structure will be replacing an existing structure within the floodway. Therefore, the concrete foundations in the floodways will have de minimis impact on the flood elevations due to the minimal increase in obstruction area within the expansive floodway.

Impact 5:

This is a temporary impact for 103-ft. long by 85-ft. wide matting within the floodway of the Susquehanna River WWF. This matting is necessary to protect the area from unnecessary disturbance of the surrounding area and to provide stable/safe access to and for the installation of structure 14. This impact authorizes a temporary floodway impact is in the Susquehanna River watershed, WWF.

Columbia—Danville 69 kV Rebuild (DANV-EDAN)—Northumberland Co							Date: June 12, 2018		
Project Information								PA DEP/105	
Structure/ Activity	Aquatic Resource Type	Latitude	Longitude	Waters Name	PA Code Chapter 93 designation	Work Proposed	Impact Type	Watercourse Impact	Floodway Impact
								Length and Width	Length and Width
Impact 1B/GP-5-1	Perennial	40.9469	-76.6091	Susquehanna River	WWF, MF	Aerial utility line	Perm	634—2	47—2
Impact 2/GP-8-1	Perennial	40.9299	-76.5983	Logan Run	CWF, MF	Temporary Timber Mat Crossing over stream	Temp	14—9	239—13
Impact 3B/GP-5-2	Perennial	40.9386	-76.5607	Susquehanna River	WWF, MF	Aerial utility line	Perm	281—2	191—2
Impact 4/JPA-1	Perennial	40.9484	-76.6074	Susquehanna River	WWF, MF	Structure Foundation	Perm	N/A	12—12
Impact 5/JPA-2	Perennial	40.9484	-76.6074	Susquehanna River	WWF, MF	Temporary Timber Matting in floodway	Temp	N/A	103—85

This permit was issued under Section 105.13(e) “Small Projects.” This permit also includes 401 Water Quality Certification.

E18-507. Jason S. Bitner, 212 Pennsylvania Avenue, Mill Hall, PA 17751. Bitner Home Improvements, in Mill Hall Borough, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle N: 41° 6' 41.5" ; W: 77° 28' 59.4").

To construct and maintain: 1) the pre-existing lattice-covered walls on the lower part of the second-floor, deck-support columns with new vinyl siding, a window, a sliding door, a new door with a window, and two 128-square-inch flood vents to create an enclosed, 1st floor, 3-season room on an existing concrete pad, 2) Add four 128-square inch flood vents to the remodeled garage to help flood waters flow into and out of the garage, 3) an

open-sided 10-foot by 14-foot pergola on a pre-existing concrete pad located in the south yard of the property, 4) Refurbished/stained, existing, solid-wood fence panels, should the predicted 2.5 feet of water inundate the FEMA mapped 100-year floodway located at 212 Pennsylvania Avenue. This permit was issued under Section 105.13(e) “Small Projects.”

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street,

P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.

ESCGP-2 # ESX18-005-0007
Applicant Name Mountain Gathering, LLC
Contact Person Dewey Chalos
Address 190 Thorn Hill Road
City, State, Zip Warrendale, PA 15086
County Armstrong County
Township(s) Freeport Borough & South Buffalo Twp
Receiving Stream(s) and Classification(s) Unnamed Tributary to Big Run, Big Run, Allegheny River (WWF), Unnamed tributaries to Buffalo Creek, Buffalo Creek (TSF)

ESCGP-2 # ESX18-125-0024
Applicant Name EQM Gathering OPCO, LLC
Contact Person Cory Harris
Address 2200 Energy Drive
City, State, Zip Canonsburg, PA 15317
County Washington County
Township(s) East Finley Twp
Receiving Stream(s) and Classification(s) UNTs to Templeton Fork (TSF)/Upper Ohio-Wheeling

ESCGP-2 # ESX18-125-0025
Applicant Name EQM Gathering OPCO, LLC
Contact Person Cory Harris
Address 2200 Energy Drive
City, State, Zip Canonsburg, PA 15317
County Washington County
Township(s) East Finley Twp
Receiving Stream(s) and Classification(s) UNTs to Rocky Run, Rocky Run (TSF), UNTs to Templeton Fork, Templeton Fork (TSF), UNTs to Long Run, Long Run (WWF)/Upper Ohio-Wheeling

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-2 # ESG13-047-0005A Ridgway Prospect Pad B Electric—Major Modification
Applicant Seneca Resources Company LLC
Contact Doug Kepler
Address 5800 Corporate Drive, Suite 300
City Pittsburgh State PA Zip Code 15237
County Elk

Township(s) Ridgway
Receiving Stream(s) and Classification(s) UNT Big Mill Creek, Big Mill Creek, and UNT Windfall Run/Upper Clarion River Watershed

ESCGP-2 # ESX18-065-0002 Winslow AST Pad
Applicant XTO Energy, Inc.
Contact Melissa Breitenbach
Address 190 Thorn Hill Road
City Warrendale State PA Zip Code 15086
County Jefferson
Township(s) McCalmont
Receiving Stream(s) and Classification(s) UNT to Hickok Run CWF

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESG29-035-18-0003
Applicant Name Range Resources—Appalachia, LLC
Contact Person Karl Matz
Address 3000 Town Center Boulevard
City, State, Zip Canonsburg, PA 15317
County Clinton
Township(s) Gallagher Twp.
Receiving Stream(s) and Classification(s) Primary Watershed(s): (1) UNTs to East Branch Queens Run (HQ-CWF), and (2) UNTs to Craig Fork (EV).
Secondary Watershed(s): (1) East Branch Queens Run (HQ-CWF), and (2) Craig Fork (EV).

ESCGP-2 # ESG29-081-18-0047
Applicant Name ARD Operating, LLC
Contact Person Stephen Barondeau
Address 33 West Third Street, Suite 300
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Pine Twp.
Receiving Stream(s) and Classification(s) Primary Watershed(s): Blockhouse Creek (EV).
Secondary Watershed(s): Little Pine Creek (EV).

ESCGP-2 # ESG29-015-18-0044
Applicant Name Chief Oil & Gas LLC
Contact Person Jeffrey Deegan
Address 1720 Sycamore Road
City, State, Zip Montoursville, PA 17754
County Bradford
Township(s) Overton Twp.
Receiving Stream(s) and Classification(s) UNT Sugar Run (EV, MF), Sugar Run (EV, MF).
Secondary: Schrader Creek.

ESCGP-2 # ESX10-115-0015(04)
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) Harford Twp.
Receiving Stream(s) and Classification(s) Leslie Creek (CWF-MF) and unnamed tributaries thereto; and Unnamed tributaries to Nine Partners Creek (CWF-MF).

Special Notices

AIR QUALITY

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

TIV 35-00069: Lackawanna Energy Center LLC (1 Tenth Wacker Drive, Suite 1800, Chicago, IL 60606) has

submitted an application to the Department of Environmental Protection (Department) for the initial Acid Rain Permit, TIV 35-00069, for the Lackawanna Energy Center Project located in Jessup Borough, **Lackawanna County**. This Title V facility is subject to the Acid Rain Requirements of Title IV of the Clean Air Act. The application is subject to the regulatory requirements specified in 40 CFR Part 72. The Acid Rain Permit will cover the three (3) combined cycle combustion turbine units at the facility. The Acid Rain Permit incorporates the applicable requirements to the units, as specified in 25 Pa. Code § 127.531 and 40 CFR Parts 72—80. The SO₂ allowance allocated by the Acid Rain Program pursuant to 40 CFR Part 73 for this facility is zero. The Title IV permit includes special permit conditions for the allowance tracking system. The units are not subject to the NO_x emission limitations of 40 CFR Part 96 since they are only authorized to combust natural gas for operation. Based on the information presented above and included in the application for the initial Acid Rain Permit, TIV 35-00069, the Department intends to issue TIV 35-00069 for Lackawanna Energy Center LLC. The proposed permit will become effective 180 days from the commencement of commercial operation date and expire five years from the issued date. The Acid Rain Permit will be incorporated into the initial Title V operating permit for the facility.

All pertinent documents used in the evaluation of the application are available for public review during normal

business hours at the Department's Northcentral Regional Office, 2 Public Square, Wilkes-Barre, PA, 18711. Appointments for scheduling a review must be made by calling 570 826 2511.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify TIV 35-00069) and a concise statement regarding the relevancy of the information or objections to issuance of the 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 is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, 570-826-2511 within 30 days after publication date.

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of November 2018 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon-related activities in this Commonwealth. The period of certification is 2 years. (For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Jeffrey Arms, Jr.	2342 Miller Road Chester Springs, PA 19425	Testing
Roger Burens	630 Freedom Business Center Third Floor King of Prussia, PA 19406	Mitigation
Spencer Conrad	555 Jamestown Street Philadelphia, PA 19128	Mitigation
Aaron Cunningham	1 Howe Court Glen Mills, PA 19342	Testing
Ronald Eckenroth	1006 Greenway Terrace Reading, PA 19607	Testing
Enviro Management Group, LLC	127 West College Avenue Pleasant Gap, PA 16823	Mitigation
William Flannery	5121 East Creek Drive Harrisburg, PA 17112	Testing
Michael Gelsick	537 Maurus Street Saint Marys, PA 15857	Testing
Erik Gertsen	320 Hidden Farms Drive Exton, PA 19341	Testing
Harris Gross	20 Cunningham Lane Cherry Hill, NJ 08003	Testing
Gaby Handal Bucks County Radon, LLC	P.O. Box 2456 Warminster, PA 18974	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
John Jenkins, Jr.	P.O. Box 285 Dallas, PA 18612	Testing
John LaBar	24 Veterans Square Media, PA 19063	Testing
Chris Matteson	50 North Linden Road, # 31 Hershey, PA 17033	Testing
Raymond O'Brien	14501 George Carter Way, # 110 Chantilly, VA 20151	Testing
Greg Panyko	345 Glaser Avenue Pittsburgh, PA 15202	Testing
Brian Poplarchick	1000 Durham Drive Dunmore, PA 18512	Testing
Ray Remsnyder	201 Faculty Road Duncannon, PA 17020	Testing
Safe-Buy Home Inspection, LLC	7844 Old Rte. 56 Hwy. West Indiana, PA 15701	Testing
Edward Schluth Insight Property Services	18 Farview Road Telford, PA 18969	Mitigation
Kenneth Struder	P.O. Box 72722 Thorndale, PA 19372	Testing
Steven Wesler	6168 Stump Road Pipersville, PA 18947	Testing & Mitigation

[Pa.B. Doc. No. 18-1934. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Aggregate Advisory Board; Regulatory, Legislative and Technical Committee Meeting

The Aggregate Advisory Board's Regulatory, Legislative and Technical Committee will meet on January 24, 2019, at 10 a.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting will also be offered in a conference call format.

Questions concerning the conference call can be directed to Daniel E. Snowden at dsnowden@pa.gov or (717) 783-8846. The agenda and materials for the conference call will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Aggregate Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1935. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Board and Committee Meeting Schedules for 2019

The following is a list of 2019 advisory board and committee meetings associated with the Department of Environmental Protection (Department). These schedules and an agenda for each meeting, including meeting materials, will be available on the Department's web site at <http://www.dep.pa.gov> through the Public Participation tab. Prior to each meeting, the Department encourages individuals to visit the web site to confirm meeting date, time and location.

Persons in need of accommodations, as provided for in the Americans with Disabilities Act of 1990 should contact the individual listed for each board or committee, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Aggregate Advisory Board

The Aggregate Advisory Board will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA (unless noted otherwise). The meeting dates are as follows:

February 6, 2019
May 1, 2019
August 7, 2019—location to be determined
November 6, 2019—10th Floor Conference Room

Contact: Daniel E. Snowden, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA at dsnowden@pa.gov or (717) 787-5103.

Agricultural Advisory Board

The Agricultural Advisory Board meetings for 2019 have not yet been scheduled.

Notices for upcoming meetings will be published in a future issue of the *Pennsylvania Bulletin*.

Contact: Jay Braund, Bureau of Clean Water, 400 Market Street, Harrisburg, PA at jbraund@pa.gov or (717) 772-5636.

Air Quality Technical Advisory Committee

The Air Quality Technical Advisory Committee will meet at 9:15 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 7, 2019
April 11, 2019
June 13, 2019
August 15, 2019
October 17, 2019
December 12, 2019

Contact: Kirit Dalal, Bureau of Air Quality, 400 Market Street, Harrisburg, PA at kdalal@pa.gov or (717) 772-3436.

Board of Coal Mine Safety

The Board of Coal Mine Safety will be held at 10 a.m. in Conference Rooms A/B, Cambria Office, 286 Industrial Park Road, Ebensburg, PA. The meeting dates are as follows:

March 5, 2019
June 4, 2019
September 3, 2019
December 3, 2019

Contact: Peggy Scheloske, Bureau of Mine Safety, New Stanton Office, P.O. Box 133, 131 Broadview Road, New Stanton, PA at mscheloske@pa.gov or (724) 404-3143.

Citizens Advisory Council

The Citizens Advisory Council (CAC) will meet at 10 a.m. (or immediately following the Environmental Quality Board (EQB) meeting) in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. (*Note:* The CAC does not meet in August or December.) The meeting dates are as follows:

January 22, 2019
February 19, 2019
March 19, 2019
April 16, 2019
May 22, 2019 (moved to Wednesday due to primary election on May 21, 2019)
June 18, 2019
July 16, 2019
September 17, 2019
October 15, 2019
November 19, 2019

Contact: Keith Salador, Citizens Advisory Council, P.O. Box 8459, Harrisburg, PA at ksalador@pa.gov or (717) 787-8171.

Cleanup Standards Scientific Advisory Board

The Cleanup Standards Scientific Advisory Board will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 13, 2019
June 12, 2019
October 29, 2019

Contact: Mike Maddigan, Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA at mmaddigan@pa.gov or (717) 772-3609.

Climate Change Advisory Committee

The Climate Change Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 26, 2019
April 23, 2019
June 25, 2019
August 27, 2019
October 22, 2019
December 10, 2019

Contact: Lindsay Byron, Energy Programs Office, 400 Market Street, Harrisburg, PA at lbyron@pa.gov or (717) 772-8951.

Coal and Clay Mine Subsidence Insurance Fund Board

The Coal and Clay Mine Subsidence Insurance Fund Board will meet at 10 a.m. in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting date is as follows:

January 10, 2019

Other meetings may be scheduled by the Board on an as needed basis.

Contact: James Charowsky, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA at jcharowsky@pa.gov or (717) 787-7007.

Coastal Zone Advisory Committee

The Coastal Zone Advisory Committee will meet at 9:30 a.m. in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 9, 2019—12th Floor Conference Room
June 19, 2019—10th Floor Conference Room

Contact: Stacey Box, Compacts and Commissions Office, 400 Market Street, P.O. Box 8465, Harrisburg, PA at sbox@pa.gov or (717) 772-5622.

Environmental Justice Advisory Board

The Environmental Justice Advisory Board (EJAB) will meet at 8:30 a.m. in the 16th Floor, Delaware Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 12, 2019
May 14, 2019
August 13, 2019
November 19, 2019—a portion of this meeting will be held with the CAC

The EJAB will also hold a conference call on the following dates:

April 9, 2019—1 p.m.
July 9, 2019—1 p.m.
October 8, 2019—9 a.m.

Contact: Allison Acevedo, Office of Environmental Justice, 2 East Main Street, Norristown, PA at alacevedo@pa.gov or (484) 250-5818.

Environmental Quality Board

The EQB will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Meetings will only be held when there is a sufficient number of agenda items for consideration. The meeting dates are as follows:

February 19, 2019
 March 19, 2019
 April 16, 2019
 May 22, 2019 (moved to Wednesday due to primary election on May 21, 2019)
 June 18, 2019
 July 16, 2019
 August 20, 2019
 September 17, 2019
 October 15, 2019
 November 19, 2019
 December 17, 2019

Contact: Laura Edinger, Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477 at ledinger@pa.gov or (717) 772-3277.

Laboratory Accreditation Advisory Committee

The Laboratory Accreditation Advisory Committee will meet at 9 a.m. in Room 206, Bureau of Laboratories Building, 2575 Interstate Drive, Harrisburg, PA. The meeting dates are as follows:

May 1, 2019
 September 4, 2019

Contact: Aaren Alger, Bureau of Laboratories, 2575 Interstate Drive, Harrisburg, PA at aaalger@pa.gov or (717) 346-7200.

Low-Level Radioactive Waste Advisory Committee

The Low-Level Radioactive Waste Advisory Committee will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting date is as follows:

October 4, 2019

Contact: Rich Janati, Bureau of Radiation Protection, 400 Market Street, Harrisburg, PA at rjanati@pa.gov or (717) 787-2147.

Mine Families First Response and Communications Advisory Council

The Mine Families First Response and Communications Advisory Council will meet at 10 a.m. in the Westmoreland Room, New Stanton Office, 131 Broadview Road, New Stanton, PA. The meeting date is as follows:

April 9, 2019

Contact: Peggy Scheloske, Bureau of Mine Safety, New Stanton Office, P.O. Box 133, 131 Broadview Road, New Stanton, PA at mscheloske@pa.gov or (724) 404-3143.

Mining and Reclamation Advisory Board

The Mining and Reclamation Advisory Board will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA (unless noted otherwise). The meeting dates are as follows:

January 17, 2019
 April 25, 2019—14th Floor Conference Room
 July 17-18, 2019—location to be determined
 October 24, 2019

Contact: Daniel E. Snowden, Bureau of Mining Programs, 400 Market Street, Harrisburg, PA at dsnowden@pa.gov or (717) 787-5103.

Oil and Gas Technical Advisory Board

The Oil and Gas Technical Advisory Board will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 21, 2019
 June 20, 2019
 September 19, 2019
 November 6, 2019

Contact: Todd M. Wallace, Office of Oil and Gas Management, 400 Market Street, Harrisburg, PA at twallace@pa.gov or (717) 783-9438.

Pennsylvania Energy Development Authority

The Pennsylvania Energy Development Authority Board meetings for 2019 have not yet been scheduled.

Notices for upcoming meetings will be published in future issues of the *Pennsylvania Bulletin*.

Contact: Dave Althoff, Energy Programs Office, 400 Market Street, Harrisburg, PA at dalthoff@pa.gov or (717) 783-8411.

Radiation Protection Advisory Committee

The Radiation Protection Advisory Committee will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 14, 2019
 October 10, 2019

Contact: John Chipppo, Bureau of Radiation Protection, 400 Market Street, Harrisburg, PA at jchipppo@pa.gov or (717) 783-9730.

Recycling Fund Advisory Committee

The Recycling Fund Advisory Committee (RFAC) will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting date is as follows:

September 12, 2019 (joint meeting with the Solid Waste Advisory Committee)

Contact: Laura Henry, Bureau of Waste Management, 400 Market Street, Harrisburg, PA at lahenry@pa.gov or (717) 772-5713.

Sewage Advisory Committee

The Sewage Advisory Committee meetings for 2019 have not yet been scheduled.

Notices for upcoming meetings will be published in a future issue of the *Pennsylvania Bulletin*.

Contact: Janice Vollero, Bureau of Clean Water, 400 Market Street, Harrisburg, PA at jvollero@pa.gov or (717) 772-5157.

Small Business Compliance Advisory Committee

The Small Business Compliance Advisory Committee will meet at 10 a.m. in the 12th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 23, 2019
 April 24, 2019
 July 24, 2019
 October 23, 2019

Contact: Nancy Herb, Bureau of Air Quality, 400 Market Street, Harrisburg, PA at nherb@pa.gov or (717) 783-9269.

Small Water Systems Technical Assistance Center Board

The Small Water Systems Technical Assistance Center Board will meet at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 31, 2019
 May 14, 2019
 August 8, 2019
 November 14, 2019

Contact: Dawn Hissner, Bureau of Safe Drinking Water, 400 Market Street, Harrisburg, PA at dhissner@pa.gov or (717) 772-2189.

Solid Waste Advisory Committee

The Solid Waste Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 14, 2019
 June 6, 2019
 September 12, 2019 (joint meeting with the RFAC)
 December 5, 2019

Contact: Laura Henry, Bureau of Waste Management, 400 Market Street, Harrisburg, PA at lahenry@pa.gov or (717) 772-5713.

State Board for Certification of Sewage Enforcement Officers

The State Board for Certification of Sewage Enforcement Officers will meet at 10 a.m. in Conference Room 11B, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 13, 2019
 May 22, 2019
 August 14, 2019
 December 4, 2019

Contact: Amy Forney, Bureau of Clean Water, 400 Market Street, Harrisburg, PA at aforney@pa.gov or (717) 772-2186.

State Board for Certification of Water and Wastewater Systems Operators

The State Board for Certification of Water and Wastewater Systems Operators will meet at 10 a.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 6, 2019
 April 3, 2019
 June 12, 2019
 August 7, 2019
 October 9, 2019
 December 4, 2019

Contact: Edgar Chescattie, Bureau of Safe Drinking Water, Operator Certification, 400 Market Street, Harrisburg, PA at echescattie@pa.gov or (717) 772-2814.

Storage Tank Advisory Committee

The Storage Tank Advisory Committee will meet at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 5, 2019
 June 4, 2019
 September 10, 2019
 December 4, 2019

Contact: Kris A. Shiffer, Bureau of Environmental Cleanup and Brownfields, 400 Market Street, Harrisburg, PA at kshiffer@pa.gov or (717) 772-5809.

Technical Advisory Committee on Diesel-Powered Equipment

The Technical Advisory Committee on Diesel-Powered Equipment will meet at 10 a.m. in the Westmoreland Room, New Stanton Office, 131 Broadview Road, New Stanton, PA. The meeting dates are as follows:

January 9, 2019
 April 10, 2019
 July 10, 2019
 October 9, 2019

Contact: Peggy Scheloske, Bureau of Mine Safety, New Stanton Office, P.O. Box 133, 131 Broadview Road, New Stanton, PA at mscheloske@pa.gov or (724) 404-3143.

Water Resources Advisory Committee

The Water Resources Advisory Committee will meet at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 24, 2019
 March 28, 2019
 May 23, 2019
 July 25, 2019
 September 26, 2019
 November 21, 2019

Contact: Diane Wilson, Bureau of Clean Water, 400 Market Street, Harrisburg, PA at diawilson@pa.gov or (717) 787-3730.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1936. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mining and Reclamation Advisory Board; Regulatory, Legislation and Technical Committee Meeting

The Mining and Reclamation Advisory Board's (Board) Regulation, Legislation and Technical Committee (Committee) will meet on January 17, 2019, at 8:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. The meeting will also be offered in a conference call format. The full Board will meet at 10 a.m. following the Committee meeting.

Questions concerning the meeting can be directed to Daniel E. Snowden at dsnowden@pa.gov or (717) 783-8846. The agenda and materials for the meeting will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Mining and Reclamation Advisory Board (MRAB)").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should

contact Daniel E. Snowden at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1937. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Board for Certification of Sewage Enforcement Officers; 2019 Sewage Enforcement Officers Examinations Announcement

The State Board for Certification of Sewage Enforcement Officers (Board) and the Department of Environmental Protection have scheduled four examinations for 2019. To qualify to sit for the certification examination, all Sewage Enforcement Officer (SEO) candidates must complete the Pre-Certification Academy. Examination applications must be received (not postmarked) by the Board, complete and correct by close of business on the deadlines indicated. Applications received after these dates will not be considered for examination. Applications that do not contain all the necessary required information will be returned and will not be considered eligible for the examination. The examination schedule for 2019 is as follows:

Examination Date:	Monday, February 4, 2019 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
Examination Application Deadline:	January 4, 2019
Location:	Department of Environmental Protection Rachel Carson State Office Building 4th Floor Training Room 400 Market Street Harrisburg, PA 17101
Examination Date:	Friday, May 10, 2019 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
Examination Application Deadline:	April 10, 2019
Location:	Pennsylvania State Association of Township Supervisors PSATS Education Center 4855 Woodland Drive Enola, PA 17025
Examination Date:	Monday, August 5, 2019 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
Examination Application Deadline:	July 5, 2019

Location:	Department of Environmental Protection Rachel Carson State Office Building 4th Floor Training Room 400 Market Street Harrisburg, PA 17101
Examination Date:	Friday, November 22, 2019 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
Examination Application Deadline:	October 23, 2019
Location:	Pennsylvania State Association of Township Supervisors PSATS Education Center 4855 Woodland Drive Enola, PA 17025

Additional examination dates will be posted as scheduled.

The SEO written examination contains 100 multiple-choice questions covering planning requirements, administration and enforcement of the permit program, and technical criteria for soils and disposal systems with a 3 1/2-hour time limit. The passing grade is 50% correct responses in each subject area and an overall minimum of 70 correct answers on the entire examination. This is an open book examination. Applicants are not permitted to bring their own materials. Necessary reference materials will be provided at the test site.

Examination applications may be obtained by contacting the Department of Environmental Protection, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8774, Harrisburg, PA 17105-8774, at RA-seotrng@pa.gov or (717) 772-2186.

Applicants will receive an admittance letter from the Board prior to the date of the examination.

Persons who anticipate the need for a testing accommodation due to a disability should contact the Board at (717) 772-5157 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss their request. This request must be submitted with the application form.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-1938. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Amendments to Charges for Medical Records

In the notice published at 47 Pa.B. 7389 (December 2, 2017), the Department of Health (Department) published the guidelines and fees that a health care provider or facility may charge in response to a request for production of medical charts or records. This notice updates the notice published at 47 Pa.B. 7389.

Under 42 Pa.C.S. §§ 6152, 6152.1 and 6155 (relating to subpoena of records; limit on charges; and rights of patients), a health care provider or facility is allowed to charge a fee in response to a request for medical charts or records. The Secretary of Health (Secretary), under 42

Pa.C.S. §§ 6152 and 6152.1, is directed to adjust annually the amounts which may be charged by the health care provider or facility.

The Secretary is directed to base these adjustments on the most recent changes in the Consumer Price Index reported annually by the Bureau of Labor Statistics of the United States Department of Labor. For the annual period of October 31, 2017, through October 31, 2018, the Consumer Price Index was 2.5%.

Accordingly, effective January 1, 2019, the following fees may be charged by a health care facility or health care provider in response to a request for production of medical charts or records:

<i>Amount charged per page for:</i>	<i>Not to Exceed</i>
Pages 1—20	\$1.55
Pages 21—60	\$1.15
Pages 61—end	\$0.39
Microfilm copies	\$2.29
* Search and retrieval of records (cannot be charged if requestor is requesting their own personal health record)	\$23.04
Flat fees (providers may not charge the previously listed search and retrieval fee in addition to a flat fee)	
Production of records to support any claim under Social Security or any Federal or State financial needs-based program;	\$29.19
Supplying records requested by a district attorney	\$23.04

The previously listed fees shall apply for paper copies or reproductions on electronic media whether the records are stored on paper or in electronic format.

In addition to the amounts listed previously, charges may also be assessed for the actual cost of postage, shipping and delivery of the requested records.

The Department is not authorized to enforce these charges.

The previously listed charges, however, are subject to the following exceptions:

(1) An insurer shall not be required to pay for copies of medical records required to validate medical services for which reimbursement is sought under an insurance contract, except as provided in:

a. the Workers' Compensation Act (77 P.S. §§ 1—1041.4 and 2501—2506) and the regulations promulgated thereunder.

b. 75 Pa.C.S. Chapter 17 (relating to Motor Vehicle Financial Responsibility Law) and the regulations promulgated thereunder.

c. A contract between an insurer and any other party.

(2) The charges listed in this notice do not apply to an X-ray film or any other portion of a medical record which is not susceptible to photostatic reproduction.

(3) The charges for the production of medical records by a health care provider in response to a request made by either an individual who is the subject of the health information or the individual's personal representative is governed by the Health Insurance Portability and Accountability Act of 1996 (Pub.L. No. 104-191) (HIPAA) and Federal regulations enacted under HIPAA, including

42 U.S.C.A. § 17935(e) and 45 CFR 164.524 (relating to access of individuals to protected health information), as follows:

a. *Electronic health record.* Under 42 U.S.C.A. § 17935(e), if a health care provider uses or maintains health records in an electronic format with respect to protected health information of an individual, the individual shall have a right to obtain from the health care provider a copy of the information in an electronic format. The individual also has a choice to direct the health care provider to transmit electronically a copy of the health record directly to an entity or person designated by the individual, provided that any choice is clear, conspicuous and specific. Any fee that the health care provider may impose for providing the information (or a summary or explanation of the information) in an electronic format shall not be greater than the labor costs in responding to the request. The Department of Health and Human Services has stated that the labor costs may not include costs associated with searching for and retrieving the requested information.

b. *Health record used or maintained in other types of format (for example, paper).* Under 45 CFR 164.524(c)(4), if the individual requests a copy of the protected health information or agrees to a summary or explanation of the information, the covered entity may impose a reasonable, cost-based fee, provided that the fee includes only the cost of:

(i) Labor for copying the protected health information requested by the individual, whether in paper or electronic form.

(ii) Supplies for creating the paper copy or electronic media if the individual requests that the electronic copy be provided on portable media.

(iii) Postage, when the individual has requested the copy, or the summary or explanation, be mailed.

(iv) Preparing an explanation or summary of the protected health information, if the individual agrees in advance to a summary or explanation and the fees to be imposed, in accordance to 45 CFR 164.524(c)(2)(iii). Similarly, the labor costs under 45 CFR 164.524(c)(4) shall not include the cost attributable to search and retrieval of the records.

Inquiries for further clarification on this exception should be directed to the Office of Civil Rights, United States Department of Health and Human Services, 200 Independence Avenue, SW, Room 509F, HHH Building, Washington, DC 20201, (866) 627-7748, <http://www.hhs.gov/ocr/office/about/contactus/index.html>.

Questions or inquiries concerning this notice should be sent to the Department of Health, Office of Legal Counsel, Room 825, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-2500.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Department of Health, Office of Legal Counsel, at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 18-1939. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) (relating to prevention, control and surveillance of tuberculosis (TB)):

Passavant Retirement and Health Center
105 Burgess Drive
Zelienople, PA 16063
FAC ID # 163602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.20(c) (relating to resident bedrooms):

Landis Homes
1001 East Oregon Road
Lititz, PA 17543-9206
FAC ID # 120602

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

Asbury Health Center
700 Bower Hill Road
Pittsburgh, PA 15243
FAC ID # 132602

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number; or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 18-1940. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2017-2018 disproportionate share hospital pay-

ments to certain Medical Assistance enrolled acute care general hospitals that participate in an academic medical program.

The Department published notice of its intent to allocate funding for these payments at 48 Pa.B. 3823 (June 23, 2018). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2017-2018 impact, as a result of these payments, is \$7.265 million (\$3.500 million in State general funds and \$3.765 million in Federal funds).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1292. (1) General Fund; (2) Implementing Year 2017-18 is \$3,500,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$21,181,000; 2015-16 Program—\$17,431,000; 2014-15 Program—\$17,431,000; (7) Medical Assistance—Academic Medical Centers; (8) recommends adoption. Funds were included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1941. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments to Qualifying 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 acute care Medical Assistance (MA) hospitals. These payments are intended to promote the availability of professional medical services to MA populations in less urbanized areas of this Commonwealth by supporting medical education and academic medical programs. 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 \$5.864 million (\$2.800 million in State general funds and \$3.064 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-1293. (1) General Fund; (2) Implementing Year 2018-19 is \$2,800,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$24,681,000; 2016-17 Program—\$21,181,000; 2015-16 Program—\$17,431,000; (7) MA—Academic Medical Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1942. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments to Qualifying 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 (MA) enrolled acute care general hospitals. These payments are intended to provide additional support for the operation of academic medical programs through the medical education of health care professionals needed to treat the MA population. 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 \$10.576 million (\$5.050 million in State general funds and \$5.526 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-1291. (1) General Fund;

(7) MA—Academic Medical Centers; (2) Implementing Year 2018-19 is \$1,550,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$24,681,000; 2016-17 Program—\$21,181,000; 2015-16 Program—\$17,431,000;

(7) MA—Physician Practice Plans; (2) Implementing Year 2018-19 is \$500,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$10,071,000; 2016-17 Program—\$10,071,000; 2015-16 Program—\$9,571,000;

(7) MA—Fee-for-Service; (2) Implementing Year 2018-19 is \$3,000,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$477,690,000; 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1943. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments to Qualifying 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 made to qualifying Medical Assistance (MA) enrolled acute care general hospitals which provide a high volume of inpatient services to MA eligible and low-income populations. These payments are intended to promote access to medically necessary inpatient services for MA eligible and low-income persons. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are still 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 \$0.730 million (\$0.349 million in State general funds and \$0.381 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-1294. (1) General Fund; (2) Implementing Year 2018-19 is \$349,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (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. 18-1944. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share Payments to Qualifying Teaching 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 teaching hospitals that provide psychiatric services to Medical Assistance (MA) beneficiaries. These payments are intended to help offset medical education costs of psychiatrists which are incurred by hospitals providing assistance to MA beneficiaries and uninsured persons. The Department does not intend to otherwise change the qualifying criteria or payment methodology for these payments.

All payment limitations are still 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 \$0.500 million (\$0.239 million in State general funds and \$0.261 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 all 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-1295. (1) General Fund; (2) Implementing Year 2018-19 is \$239,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (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. 18-1945. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Fee Schedule Rates and Department-Established Fees for Consolidated, Community Living and Person/Family Directed Support Waivers Services, Targeted Support Management and the Community Intellectual Disability Base-Funded Program

The Department of Human Services (Department) is providing final notice of the Fee Schedule Rates for Targeted Support Management and select services funded through the Consolidated, Community Living and Person/Family Directed Support waivers and Department-established fees for residential habilitation ineligible services.

The Fee Schedule Rates also serve as the Department-established fees under 55 Pa. Code § 4300.115(a) (relating to Department established fees) for base-funded services managed through county programs for individuals with an intellectual disability under the Mental Health and Intellectual Disability Act of 1966 (50 P.S. §§ 4101—4704), 55 Pa. Code Chapter 4300 (relating to county mental health and intellectual disability fiscal manual) and 55 Pa. Code Chapter 51 (relating to Office of Developmental Programs home and community-based services).

Fee Schedule Rates

The Fee Schedule Rates were developed in accordance with 55 Pa. Code Chapter 51 using a market-based approach. The Fee Schedule Rates represent the maximum rates that the Department will pay for each service.

There have been no changes to the Fee Schedule Rates, which were effective July 1, 2018, since the rates were published as final in the *Pennsylvania Bulletin*, 48 Pa.B. 688 (January 27, 2018). The Fee Schedule Rates can be accessed on the Department's web site at <http://www.dhs.pa.gov/provider/developmentalprograms/feeschedulerates/index.htm>.

Department-Established Fees

The Department-established fees for residential habilitation ineligible services represent a per-person, per-day net fee based on the size of the home (such as a one-individual home or two-individual home) and type of home (defined as licensed or unlicensed residential habilitation).

There have been no changes to the Department-established fees that have been in effect July 1, 2018, through December 31, 2018, since the fees were published as final in the *Pennsylvania Bulletin*, 48 Pa.B. 688. The Department-established fees effective July 1, 2018, through December 31, 2018, can be viewed on the Department's web site at <http://www.dhs.pa.gov/provider/developmentalprograms/feeschedulerates/index.htm>.

The Department has examined current Federal housing data across this Commonwealth and determined that a differential of approximately 10% exists between the costs in the following counties and those in the rest of this Commonwealth. Unlike wage costs, which are typically standardized across multiple counties through use of a single wage scale across counties, housing costs tend to be specific to a particular county and are therefore difficult to standardize across counties. For these reasons, the Department has decided that the differential in housing costs warrants an increase to the Department-established

fees, comparable to the cost differential, for residential habilitation ineligible services provided in the following counties, effective January 1, 2019:

- Bucks
- Carbon
- Chester
- Delaware
- Lehigh
- Monroe
- Montgomery
- Northampton
- Philadelphia
- Pike

The Federal housing data can be found at https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2017_code/2017state_summary.odn.

The Department will adjust the Department-established fees for residential habilitation ineligible services for these counties as specified in the following table, effective January 1, 2019. The fee table designates these counties as Area 1. For providers with licensed and unlicensed residential habilitation ineligible service locations with addresses in the counties identified as Area 1, the fees and Individual Support Plans (ISP) will be updated automatically. The new fees will be automatically reflected in each impacted individual's ISP. The fees for Area 2 are the same fees that were published at 48 Pa.B. 688.

Department-Established Fees Effective January 1, 2019

<i>Service</i>	<i>Procedure Code</i>	<i>Unit</i>	<i>Approved Program Capacity</i>	<i>Area 1 (Bucks, Carbon, Chester, Delaware, Lehigh, Monroe, Montgomery, Northampton, Philadelphia and Pike)</i>	<i>Area 2 (Remaining counties in Pennsylvania)</i>
Licensed Residential Habilitation—Ineligible	W9001	Day	1 Person	\$92.57	\$84.15
	W9030	Day	2 People	\$50.47	\$45.88
	W9046	Day	3 People	\$33.65	\$30.59
	W9048	Day	4 People	\$25.33	\$23.03
	W9065	Day	5—8 People	\$18.50	\$16.82
Unlicensed Residential Habilitation—Ineligible	W7079	Day	1 Person	\$22.63	\$20.57
	W7081	Day	2 People	\$13.63	\$12.39
	W7083	Day	3 People	\$7.00	\$6.36

Public Comment

Copies of this notice and the rates may be obtained at the local Mental Health/Intellectual Disability (MH/ID) County Program, Administrative Entity (AE) or regional Office of Developmental Programs (ODP) in the corresponding regions:

- *Western region:* Piatt Place, Room 4900, 301 5th Avenue, Pittsburgh, PA 15222, (412) 565-5144
- *Northeast region:* Room 315, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA 18503, (570) 963-4749
- *Southeast region:* 801 Market Street, Suite 5071, Philadelphia, PA 19107, (215) 560-2242 or (215) 560-2245
- *Central region:* P.O. Box 2675, DGS Annex Complex, Harrisburg, PA 17105, (717) 772-6507

Contact information for the local MH/ID County Program or AE may be found at <https://www.hcsis.state.pa.us/HCSIS-SSD/ServicesSupportDirectory/CountyContacts> or contact the previously referenced regional ODP.

Interested persons are invited to submit written comments within 30 days regarding the final Fee Schedule Rates and Department-established fees to the Department of Human Services, Office of Developmental Programs, Division of Provider Assistance and Rate Setting, 4th Floor, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120. Comments can also be sent

to ra-ratesetting@pa.gov. Use subject header “PN Fee Schedule.” The Department will consider comments received within 30 days in reviewing future adjustments to the Fee Schedule Rates and the Department-established rates.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service by dialing 711 or by using one of the toll free numbers: (800) 654-5984 (TDD users), (800) 654-5988 (voice users), (844) 308-9292 (Speech-to-Speech) or (844) 308-9291 (Spanish).

Fiscal Impact

It is anticipated that there will be no increase or decrease in costs associated with the final fee schedule rates effective July 1, 2018. However, it is anticipated that there will be a cost of approximately \$2.650 million in State Funds to the Commonwealth in Fiscal Year (FY) 2018-2019 and an annualized cost of \$5.300 million in state funds in FY 2019-2020 and subsequent years to implement the Department-established fees for residential habilitation ineligible services, effective January 1, 2019.

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1304. (1) General Fund; (7) ID—Community Waiver Program; (2) Implementing Year 2018-19 is \$2,650,000; (3) 1st Succeeding

Year 2019-20 through 5th Succeeding Year 2023-24 are \$5,300,000; 2017-18 Program—\$1,528,000,000; 2016-17 Program—\$1,349,000,000; 2015-16 Program—\$1,203,000,000;

(7) ID—Community Base Program; (2) Implementing Year 2018-19 is \$0; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; 2017-18

Program—\$150,734,000; 2016-17 Program—\$149,950,000; 2015-16 Program—\$148,229,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-1946. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P.S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P.S. § 165-11(e)), no contracts for public work shall be awarded to these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
MD Gill Flooring & Floorforce, LLC and Lawrence Gill, individually FEIN No. 23-3062941	2 East Highland Road Parkesburg, PA 19365	11/14/2018

W. GERARD OLEKSIAK,
Secretary

[Pa.B. Doc. No. 18-1947. Filed for public inspection December 14, 2018, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

State Transportation Commission Meeting

The State Transportation Commission (Commission) will hold a meeting on Thursday, December 20, 2018, from 10 a.m. to 12 p.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information, contact the Commission, (717) 783-2262, RA-PennDOTSTC@pa.gov.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 18-1948. Filed for public inspection December 14, 2018, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Shaner Hotel Holdings Limited Partnership v. Centre County Conservation District, Department of Environmental Protection and Landmark Cottage Construction, PA, LLC, Permittee; EHB Doc. No. 2018-119-M

Shaner Hotel Holdings Limited Partnership has appealed the approval by the Centre County Conservation District under delegation for the Department of Environ-

mental Protection of an NPDES General Permit (PAG-02) to Landmark Cottage Construction PA, LLC for construction activities located in Patton Township, Centre 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. 18-1949. Filed for public inspection December 14, 2018, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed 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>
16-59	Department of State Regulations Implementing the Revised Uniform Law on Notarial Acts 48 Pa.B. 5474 (September 1, 2018)	10/30/18	11/29/18

Department of State Regulation # 16-59 (IRRC # 3212)

Regulations Implementing the Revised Uniform Law on Notarial Acts

November 29, 2018

We submit for your consideration the following comments on the proposed rulemaking published in the September 1, 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 Department of State (Department) to respond to all comments received from us or any other source.

1. Determining whether the regulation is in the public interest; Clarity and lack of ambiguity; Reasonableness of requirements, implementation procedures.

This proposed regulation implements Act 73 of 2013 (Act). 57 Pa.C.S.A. §§ 301–331. Throughout the proposed regulation, the Department is inconsistent in its implementation of the Act. We note that the Department includes some provisions of the Act, leaves other provisions out, and cross-references others. It appears that the Department primarily intended to supplement the Act in drafting the proposed regulation; however, the Act contains crucial information, such as definitions, which makes reading only the proposed regulation problematic when a cross-reference to the Act is not provided. Further, we note that the Department provides a great deal of information on its website, some of which appears to be regulatory in nature and, therefore, should be included in the final regulation. We provide examples below.

Example of partial provisions from the Act

- When looking at Section 167.21 (relating to official stamp) as compared to Section 317 of the Act (relating to official stamp) (57 Pa.C.S.A. § 317), we note that all or parts of the requirements in Paragraphs (1), (2) and (3) of the Act are not included in the proposed regulation. Specifically, Paragraph (1) includes a requirement that the seal must be made of rubber. Paragraph (2) states the seal must have a maximum height of one inch and width of three and one-half inches, with a plain border. Paragraph (3) states that the seal must be capable of being copied together with the record to which it is affixed or attached or with which it is logically associated. These requirements are not included in the proposed regulation

so a person reading only the regulations would find some but not all of the requirements relating to a seal.

Examples of entirely missing provisions from the Act

- The Act contains many definitions which are crucial to understanding the proposed regulation, but the Department does not cross-reference the Act under Section 167.2 (relating to definitions).

- Subchapter J (relating to prohibited acts and sanctions) does not reference the authority of the Department in Section 323 of the Act (relating to sanctions) (57 Pa.C.S.A. § 323) to “deny, refuse to renew, revoke, suspend, reprimand or impose a condition on a commission as notary public. . . .” The Department simply begins the subchapter by listing offenses involving fraud, dishonesty or deceit in Section 167.111 (relating to offenses involving fraud, dishonesty or deceit). In the final-form regulation, the Department should clarify for the regulated community the purpose of this subchapter and state the Department’s authority related to prohibited acts and sanctions.

Example of missing information and website requirements

- Subsection 167.81(c) (relating to notification regarding use of electronic notarization) states that in order to obtain authorization as an electronic notary public, a notary public shall submit “the following information to the Department *in a manner prescribed by the Department. . .*” and then lists the required information which includes the electronic notarization solution provider. (Emphasis added.) This is the only information related to becoming an electronic notary found in the proposed regulation; the Department does not provide the “manner prescribed,” nor does the Department state where it can be found. We note that there is a document on the Department’s website titled Eight Steps to Becoming an Electronic Notary in Pennsylvania. Do these eight steps contain additional requirements that should be included in the final regulation? How do the requirements in Subsection 167.81(c) fit into the eight steps? It is unclear from the proposed regulation and the Department’s website how the electronic notary process will be implemented.

Inconsistencies make it difficult for the regulated community to know what is required since two documents and the Department’s website are needed in order to be completely informed about compliance requirements. This may lead to confusion for the regulated community.

Additionally, if the steps listed on the Department's website are requirements, they should be included in the final regulation. This applies to any other requirements that are only found on the website, as well.

Further, two national associations and several commenters recommend revisions that would simplify and clarify proposed requirements. We agree that certain provisions could be more concise in the final regulation such as Subsection 167.15(a) (relating to notary public examination) which states:

Under [S]ection 322(a) of the [A]ct (relating to examination, basic education and continuing education), an applicant for a commission as a notary public who does not hold a current commission in this Commonwealth shall pass an examination as a condition of appointment. An applicant who does not hold a current commission as a notary public includes an applicant who never held a commission as a notary public and an applicant who previously held a commission as a notary public but whose commission has since expired.

Another example is in Subsection 167.22(c) (relating to stamping device) which seems to be repetitive when it states in part, "When not in use, the stamping device must be kept in a secure location and accessible only to the notary public. A secure location includes in the notary public's sole possession or in a locked location to which only the notary public has access." Revisions to provisions such as these would improve clarity and prevent ambiguity. The Department should work with these commenters and the regulated community to ensure that the final regulation is clear and lacks ambiguity.

Additionally, we ask the Department to carefully review and revise titles of sections and the order of the final regulation. For example:

- Section 167.14 is titled "Application for appointment" and Section 167.18 is titled "Reappointment." It is unclear from these titles that Section 167.14 applies to both applications for appointment and reappointment.
- Section 167.115 is titled "Factors considered in disciplinary action," but the section itself explicitly states that the listed factors are to be considered not only in taking disciplinary action but also when determining whether to deny an application.
- Logically, one would expect to find general application requirements before any exceptions. However, the proposed regulation addresses exceptions (Sections 167.11 (relating to eligibility for appointment and commission—applicants not residing in this Commonwealth) and 167.12 (relating to eligibility for appointment and commission—applicants holding state and Federal office)) before general application requirements (Section 167.14 (relating to application for appointment)).

We ask the Department to ensure that the final regulation, including the titles and order, is clear, lacks ambiguity, and contains cross-references to all of the provisions with which the regulated community must comply, including all relevant requirements from the Act and the Department's website.

CHAPTER 161. FEES

2. Section 161.2. Notary public fee schedule.—Statutory authority; Economic or fiscal impacts; Clarity and lack of ambiguity.

The Preamble to the proposed regulation, under Fees, states the "existing *maximum permissible fees* which may

be charged by notaries public are included in proposed [Section] 161.2." (Emphasis added.) Subsection 329.1(a) of the Act mandates that "fees of notaries public shall be *fixed* by the [D]epartment by regulation." 57 Pa.C.S.A. § 329.1(a). (Emphasis added.) Further, Section 161.2 states that "fees of notaries public as *fixed* by the Department...are..." (Emphasis added.) We ask the Department to explain in the Preamble to the final-form regulation its authority to set a maximum fee and, if authorized, to revise Section 161.2 to clarify that the fees are a maximum rather than fixed.

A commenter noted that this section does not contain fees for electronic records and signatures. The Department should revise this section to specifically address electronic notarization or clarify that the fees apply to electronic notarization.

Also, commenters question if notaries public are permitted to collect clerical and administrative fees since they are not addressed in this section but are allowed under Subsection 167.32(d) (relating to journal entries) which provides that a notary public may charge "[c]lerical and administrative fees." The Preamble to the final-form regulation should explain what services a notary public may consider to be clerical and administrative. Further, we ask the Department to revise this section to address clerical and administrative fees.

CHAPTER 167. NOTARIES PUBLIC

Subchapter A. GENERAL PROVISIONS

3. Section 167.2. Definitions.—Clarity and lack of ambiguity.

The Department defines "examination" as "described in [Section] 167.15 (relating to notary public examination)." The Department should move the substance of the definition of "examination" from the body of the regulation to the definitions section of the final regulation.

Commenters note that the Department uses the undefined term "document" throughout the proposed regulation rather than the term "record" which is defined in the Act. If these terms are interchangeable, we ask the Department to revise the final regulation to use the term "record" as defined in the Act. If they are not interchangeable, the Department should define the term "document."

The term "logically associated" is used throughout the Act and Chapter 167 in relation to physical and electronic records. We ask the Department to define this term or explain in the Preamble to the final regulation how the Department will ensure that the meaning of this term is clear for the regulated community.

The Act defines "signature" whereas the proposed regulation does not. We note that the Department uses variations of this term such as "official signature" and "preferred signature" within the regulation. How do these terms differ from the term "signature?" We ask the Department to use the term "signature" as defined in the Act if appropriate, or to define these variations of the term "signature" in the final regulation.

A commenter states that not all counties in Pennsylvania have a recorder of deeds. When referencing a recorder of deeds in the final regulation, we ask the Department to cross-reference to the definition of "recorder of deeds" in the Act in order to clarify that the term also includes "an official with similar duties and responsibilities."

Subchapter B. QUALIFICATIONS FOR APPOINTMENT AND COMMISSION

4. Section 167.11. Eligibility for appointment and commission—applicants not residing in this Commonwealth.—Clarity and lack of ambiguity.

In each of the subsections, the Department uses the term “practice.” We ask the Department to define this term in the final regulation.

Subsection (b) states that employment or practice shall be on an “ongoing basis;” however, this is non-regulatory language that does not set a binding norm. A regulation has the full force and effect of law and this term does not establish a standard that could be predicted by the regulated community. We ask the Department to define the standard for ongoing employment or practice in the final-form rulemaking.

5. Section 167.12. Eligibility for appointment and commission—applicants holding state and Federal office.—Need for the regulation.

This section states that the disqualifications of Section 1 of the act of May 15, 1874 (P.L. 186, No. 120) apply to individuals who are elected or appointed to any office under the legislative, executive or judiciary departments of the United States government. What is the need for including this in the regulation?

6. Section 167.14. Application for appointment.—Clarity and lack of ambiguity; Need for the regulation; Reasonableness of requirements, implementation procedures.

Subsection (a) addresses a “first-time applicant.” Does Subsection (a) apply to all applicants who are seeking an appointment and not just “first-time” applicants? It is unclear as written since a person may be applying for a second or third time if the person did not pass the exam within six months as referenced in Subsection 167.15(e) (relating to notary public examination) or if the person’s exam results are no longer valid as referenced in Subsection 167.15(c). We ask the Department to clarify this provision.

Subsections (a) and (b) require submission of “evidence of successful completion” of an education course. What qualifies as evidence of successful completion? We note that Subchapter I (relating to notary public education) defines “certificate of education” as “. . . signifying that the person named therein has successfully completed the approved education program provided by the provider.” If this is the document intended to be submitted as evidence in Section 167.14, the Department should move the definition to Section 167.2 (relating to definitions) and clarify that a certificate of education is required in Subsections (a) and (b).

Subsection (d) requires an applicant’s signature on the application for appointment to be legible. If the applicant’s name cannot be discerned from the signature, the applicant is required to print his name adjacent to the signature. A commenter questions the necessity of this provision as the application will provide the applicant’s name printed or typed on the form. We ask the Department to explain the need for and reasonableness of this requirement in the Preamble to the final-form regulation.

The last sentence of Subsection (d) refers to the “notary public’s full name.” Since this section addresses the application for appointment and refers to “applicants,” should the final sentence be revised to the “applicant’s full name?”

7. Section 167.15. Notary public examination.—Clarity and lack of ambiguity; Reasonableness of requirements, implementation procedures.

Overall, it is unclear in the proposed regulation how the examination results are used in the process of going from an applicant to an appointee to being issued a commission. We ask the Department to explain the process of going from applicant to appointee to notary public in the Preamble to the final regulation, and to ensure that each of the steps is clearly set forth in the final-form regulation, including how examination results are provided to the applicant and the Department.

We also have several specific issues related to the individual subsections.

Subsection (b) states, “The examination will be administered by a professional testing organization under contract with the Department at times, places and costs established by the professional testing organization, *but in no case prior to submission of and approval by the Department of an application for appointment.*” (Emphasis added.) What does the last part of this provision mean and to whom does it apply? The Department should clarify who is submitting the application for appointment.

Also, we have concerns that Subsection (b) specifies a “written” examination that is “proctored” while the Department’s website states that the test is “computer-based.” We ask the Department to clarify requirements related to the examination in the final regulation.

In Subsection (d), what is a “scaled score?” Also, if the Department intends to pass applicants who attain a scaled score of 75 or higher, the Department should clarify this provision in the final regulation.

Subsection (f) states that more information about the examination is available on the Department’s website. In the Preamble to the final regulation, the Department should explain what additional information is available on its website and explain why the additional language is not needed in the final regulation. Additionally, the Department should remove the specific web address from the final regulation so that the regulation will not need to be amended if the information is relocated in the future.

8. Section 167.16. Appointment and issuance of commission.—Clarity, feasibility and reasonableness of the regulation.

Paragraph (c)(2) states that the appointee shall obtain a bond “without delay.” This is non-regulatory language and does not set a binding norm. A regulation has the full force and effect of law, and this sentence does not establish a standard that could be predicted by the regulated community. We ask the Department to include a fixed timeline in the final-form regulation.

Subsection (e) states that after administering the oath of office, the recorder of deeds shall deliver the commission certificate to the notary public. A commenter suggests that the recorder of deeds should deliver the commission only after receiving proof that the appointee has signed the official register. We ask the Department to explain the reasonableness of not requiring the recorder of deeds to have proof that the appointee has signed the official register prior to delivering the commission.

9. Section 167.17. Appointment if bond, oath and commission not recorded within 45 days.—Clarity and lack of ambiguity.

Subsection (b) states that an appointee who fails to record the bond, oath and commission within 45 calendar

days of appointment may apply for appointment or reappointment under Subsection (c). Should this provision also include a failure to register an official signature?

Paragraph (c)(1) requires that an appointee submit a new application for appointment or reappointment. Should Paragraph (c)(1) require the application to be in compliance with Subsections 167.14(c) and (d) (relating to application for appointment)?

Paragraph (c)(3) states that an appointee shall submit evidence of completion of education and that the “certificate of education” must be “valid” at the time of application. As a follow-up to Comment # 6 where we ask that the term “certificate of education” be moved to Section 167.2 (relating to definitions), the definition should also state what makes a certificate valid.

10. Section 167.18. Reappointment.—Clarity and lack of ambiguity; Reasonableness of requirements.

While the title of this section is “Reappointment,” as noted in Comment # 1, Section 167.14 (relating to application for appointment) also contains requirements for applications for reappointment. Since this section contains only one sentence, we recommend the Department revise the title of Section 167.14 and merge the two sections. If this section is retained in the final regulation, we ask the Department to explain the reasonableness of keeping this separate section.

Subchapter C. OFFICIAL STAMP, STAMPING DEVICE AND EMBOSSER

11. Section 167.22. Stamping device.—Clarity and lack of ambiguity; Need for the regulation; Reasonableness of requirements, implementation procedures and timetables for compliance.

Subsection (a) states, “A stamping device, as used in [S]ections 302 and 318 of the [A]ct (relating to definitions; and stamping device), does not include a noninking embosser or crimper.” We ask the Department to define “noninking embosser” and “crimper.”

Subsection (d) discusses actions taken by a notary public when a stamping device is lost or stolen. The parallel provision in Subsection 167.35(b) (relating to custody and control of journal; notification of lost or stolen journal) defines “loss.” Should the same definition be added to this subsection?

Paragraph (d)(1) requires the notification of loss or theft of a stamping device to include a statement of whether the stamping device is lost or stolen. Paragraph (d)(4) then further requires the notification to include a statement that the notary public does not possess the stamping device and does not know who possesses it or where it is located. In essence, these seem to be the same requirement. We ask the Department to explain the need for including a statement of whether the stamping device is lost or stolen, and the need for and reasonableness of requiring both statements.

Paragraph (d)(2) requires the notification of loss or theft of a stamping device to include an explanation of how the stamping device became lost or stolen. We ask the Department to explain the need for and reasonableness of requiring this explanation.

Subsection (e) similarly asks for an explanation of how the stamping device was recovered if a notary public reacquires possession of a lost or stolen stamping device. Again, we ask the Department to explain the need for and reasonableness of requiring this explanation.

Finally, regarding lost or stolen stamping devices, neither this section nor the Act contemplates a replacement stamping device. May a notary public obtain a replacement stamping device when the original is lost or stolen? A commenter states that unless the new stamping device is noticeably different from the original stamp, it is difficult to see how these provisions heighten the security and integrity of notarial acts. What is the cause for concern if a notary public would have two identical devices if the original device is found? We ask the Department to address the question of replacement stamping devices and to explain the reasonableness of the requirements in the final-form regulation.

Subsection (f) requires an individual whose notary public commission has been suspended or revoked to deliver the stamping device to the Department. Why and how would a notary public commission be suspended or revoked? Subsection (f) should contain a cross-reference to the regulation providing for suspension or revocation of a notary public commission.

Also, neither Subsection (f) nor Section 167.35 indicates what should be done with the stamping device and journal if an individual does not apply for reappointment. We ask the Department to clarify these procedures in the final-form regulation.

Subchapter D. JOURNAL

12. Section 167.31. Identification of notary public in journal.—Clarity.

Paragraph (a)(4) refers to the notary public’s “office address of record with the Department.” A commenter notes that a notary public’s office of record may be a home address. The definition of “address” in Section 167.2 (relating to definitions) includes home and office. We ask the Department to clarify the provision by deleting the reference to “office” in this paragraph.

13. Section 167.32. Journal entries.—Clarity and lack of ambiguity; Need of the regulation; Reasonableness of requirements, implementation procedures.

Subsection (c), regarding prohibited entries, states that a journal may not contain any personal financial or identification information such as complete Social Security numbers, complete drivers’ license numbers or complete account numbers. Subsection (f), regarding personal financial or identification information, identifies what “personal financial or identification information” means for the purpose of Subsection (c), including, again, a Social Security number, driver’s license number and financial account number. We ask the Department to combine these two subsections to reduce repetition and improve clarity for the regulated community regarding what is prohibited in a journal entry.

Subsection (e), regarding address, requires an address be recorded as a part of a notarial act. What address is this: the location of the notarial act or the customer’s home or work address? The Department should clarify this requirement in the final-form regulation.

Subsection (g), regarding transitional provision, permits a notary to use the current journal after the effective date of the regulation, but only until the expiration of the commission. Can a notary public who renews his commission continue to use the same journal? If not, we ask the Department to explain the need for and reasonableness of requiring a new journal.

A commenter suggests adding a provision preventing blank lines in a journal or to cross out blank lines so that

additional entries may not be entered. We ask the Department to include provisions regarding blank lines in the final-form regulation.

14. Section 167.33. Form and content of journal maintained on a tangible medium.—Clarity and lack of ambiguity.

This section title refers to the content of a journal; however, journal content requirements are detailed in Section 167.32 (relating to journal entries). More specifically, Subsections 167.33(a) and 167.32(b) each contain requirements for journal entries from Section 319(c) of the Act (relating to journal) (57 Pa.C.S.A. § 319(c)). If content requirements are kept in both sections, the Department should include cross-references. If the content requirements are moved to one section, the title of the other section should be amended. We ask the Department to revise the titles and content of these sections so that the titles clearly indicate the requirements within the sections and the content requirements are clear and cross-referenced as needed.

Subsection (d) specifies the numbering of lines in a journal. A commenter asks if all pages must be numbered with the same sequence of line numbers. The Department should clarify the line numbering requirement in the final-form regulation.

15. Section 167.34. Form and content of an electronic notarial journal.—Clarity and lack of ambiguity; Need for the regulation; Reasonableness of requirements, implementation procedures.

The section title refers to the content of an electronic journal; however, journal content requirements are detailed in Section 167.32 (relating to journal entries). More specifically, Subsections 167.34(a) and 167.32(b) each contain requirements for journal entries from Subsection 319(c) of the Act (relating to journal) (57 Pa.C.S.A. § 319(c)). Do the content requirements in Section 167.33 (relating to form and content of journal maintained on a tangible medium) also apply to electronic journals? We ask the Department to clarify which provisions apply to tangible journals and which apply to electronic journals by including cross-references as necessary. As noted in Comment # 1, the Department should also review all section titles for clarity.

Paragraph (e)(2) states that a signature must be linked to the data in a manner so that any subsequent alterations to the electronic journal entry “are detectable and may invalidate the electronic notarial journal entry.” A commenter states that tamper-evident technology does not invalidate an electronic journal entry; rather, it is an individual who determines if change that is detectable by a tamper-evident technology is permissible or not. We ask the Department to clarify for the regulated community that it is not the manner in which the data is linked that invalidates the signature.

Subsection (f) addresses and cross-references the requirement in Subsection 319(e) of the Act (57 Pa.C.S.A. § 319(e)) regarding delivery of a journal to the office of the recorder of deeds when an individual is no longer commissioned as a notary public. Since Subsection 319(g) of the Act (57 Pa.C.S.A. § 319(g)) requires delivery of the journal to the same office when a notary public dies or is adjudicated as incompetent, should this provision include a cross-reference to that statutory provisions as well? We ask the Department to clarify this provision by including this cross-reference or to explain why not including it is reasonable.

16. Section 167.35. Custody and control of journal; notification of lost or stolen journal.—Clarity and lack of ambiguity; Reasonableness of requirements, implementation procedures and timetables for compliance.

While the titles differ significantly, this section generally contains provisions that parallel those in Section 167.22 (relating to stamping device). However, we note several discrepancies between the two sections and ask the Department to either include the following provisions in the final regulation or to explain why these provisions do not apply to journals.

- Section 167.22(d) requires notification of loss or theft of a stamping device to the Department. This clarification is missing from Subsection (b).

- Section 167.22(c) states that the stamping device is the exclusive property of the notary public.

- Section 167.22(f) addresses a notary public whose commission has been suspended or revoked.

Paragraph (b)(1) requires the notification of loss or theft of a stamping device to include a statement of whether the stamping device is lost or stolen. Paragraph (b)(4) then further requires the notification to include a statement that the notary public does not possess the stamping device and does not know who possesses it or where it is located. In essence, these seem to be the same requirement. We ask the Department to explain the need for including a statement of whether the stamping device is lost or stolen, and the need for and reasonableness of requiring both statements.

Paragraph (b)(2) requires the notification of loss or theft of a journal to include an explanation of how the journal became lost or stolen. We ask the Department to explain the need for and reasonableness of requiring this explanation.

Subsection (c) similarly asks for an explanation of how the stamping device was recovered if a notary public reacquires possession of a lost or stolen stamping device. Again, we ask the Department to explain the need for and reasonableness of requiring this explanation.

Finally, this section does not specify what should be done with the journal if an individual does not apply for reappointment. We ask the Department to clarify this procedure in the final-form regulation.

17. Section 167.36. Inspection and certified copies of journal; response to subpoena and investigative requests.—Statutory authority; Need for the regulation.

Subsection (a) states that the notary public shall permit inspection of the journal to any person requesting to view the journal. Since the notary public is to maintain custody at all times according to Section 167.35 (relating to custody and control of journal; notification of lost or stolen journal), this provision should clarify that the inspection must be in the presence of the notary public.

Subsection (b) states that the request for certified copies of the journal “must be *reasonable in scope* . . .” (Emphasis added.) However, Subsection 319(g.1) of the Act (relating to journal) states that “a notary public shall give a certified copy of the journal to a person that applies for it.” 57 Pa.C.S.A. § 319(g.1). We have several concerns related to this subsection. Since the Act does not put any limits on a request for a certified copy, what is

the Department's authority for doing so? If the Department has authority, stating that the request must be "reasonable" in scope is non-regulatory language that does not set a binding norm.

Further, the sentence in Subsection (b) that states "a request may, but is not required to be, in writing" is non-regulatory and does not set a binding norm for the regulated community. This sentence is not needed. Likewise, the last sentence of Subsection (b) states, "If the scope of the request is not clear, the notary public may offer to have the requester inspect the journal at the notary public's office to identify the specific pages or dates that the requester is seeking." This sentence does not set a binding norm and is not needed.

Finally, Subsection (c), regarding subpoenas and investigative requests, states that a request for inspection or certified copies of a journal made through an investigative request by law enforcement or by the Department or in a subpoena in the course of criminal or civil litigation shall be complied with in the manner specified in the request or subpoena. What is the need for this subsection since a subpoena requires a person to present the requested information, and Subsections (a) and (b) require a notary public to permit inspection of the journal and to provide certified copies of the journal to anyone who requests to do so?

Subchapter E. STANDARDS OF PRACTICE

18. Section 167.41. Name of notary public.—Clarity, feasibility and reasonableness of regulation.

Subsection (a) appears to define "name of a notary public" for the chapter and the Act as "the legal name of the notary public as it appears on the notary public's current commission and oath of office." We ask the Department to define this term in Section 167.2 (relating to definitions) and delete this subsection.

Subsection (c) states that "neither initials alone nor nicknames will be accepted on the application. . . ." This requirement relates to the application for commission as a notary public and should be moved to Section 167.14 (relating to application for appointment). Regarding the prohibition of initials alone on the application, what if the legal name of a person seeking to be a notary public is two capital letters or initials? We ask the Department to explain in the Preamble to the final regulation the reasonableness of this requirement and how the provision will be implemented.

19. Section 167.42. Notification of change in information.—Clarity, feasibility and reasonableness of regulation.

Subsection (a) states that a notary public shall notify the Department within 30 calendar days of a name change. Subsection (d) states that a notary public shall also file a notice of name change with the county recorder of deeds. How will this work if a person is required to sign a new signature card for the county at the time of notification but desires to continue using the commissioned name until the effective date? We ask the Department to clarify these requirements and explain the reasonableness of multiple notifications.

We note that a notary public may voluntarily resign under Paragraph (a)(5), but we find no other mention of this process in the proposed regulation. Would the notary public need to turn in the stamp and journal? We ask the Department to ensure that the final regulation makes clear the process for a voluntary resignation.

20. Section 167.43. Change of name.—Clarity and lack of ambiguity.

Subsection (b) states that the Department "will mark the public records relating to the notary public name change." What does this mean?

21. Section 167.47. Personal appearance.—Clarity and lack of ambiguity.

Subsection (c) states that "the notary public and the individual for whom a notarial act is being performed shall be able to see, hear, communicate with and give identification documents to each other without the use of electronic devices. . . ." How will this rule affect persons with speech, hearing or vision disabilities? A commenter has concerns that this provision is unclear as to whether it prohibits the use of electronic devices to mitigate disabilities. We ask the Department to clarify this provision in the final-form regulation.

22. Section 167.49. Identification of individual appearing before notary public—satisfactory evidence.—Clarity, feasibility and lack of ambiguity.

Subparagraph (a)(3)(v) states that a Medicare card may be used as a form of government identification under Subparagraph 307(b)(1)(ii) of the Act (relating to identification of individual) (57 Pa.C.S.A. § 307(b)(1)(ii)), which requires identification showing the signature or photograph of the individual appearing before a notary public. A commenter indicates that a Medicare card does not include a photograph or signature. The Department should ensure that each of the items listed under Paragraph (3) in the final regulation meets the statutory requirement for satisfactory evidence.

Paragraph (b)(2) requires that a credible witness may not have a direct or pecuniary interest with respect to the record being notarized. Should a statement to this effect be included under the verification on oath or affirmation under Paragraph (b)(3)?

23. Section 167.50. Language and use of interpreter.—Reasonableness of requirements, implementation procedures and timetables for compliance.

If communication occurs through use of an interpreter, Subsection (a) requires the interpreter to be in the physical presence of the notary and the person with whom the notary is communicating. A commenter asserts that this may make it difficult to obtain translation services. We ask the Department to explain the reasonableness of this requirement.

Subchapter F. NOTARIAL ACTS

24. Section 167.61. Acknowledgments.—Clarity, feasibility and reasonableness of regulation; Need for the regulation.

Subsection (e) requires the notary public to compare the signature on the record to the signature of the individual on the identification presented. What is the purpose of comparison since the customer has already been positively identified? Does the Department expect the signatures to be identical, and what happens if they are slightly or significantly different? We ask the Department to explain the reasonableness of and need for this provision.

This comment applies to Sections 167.63 (relating to verifications on oath or affirmation) and 167.64 (relating to witnessing or attestation of signatures).

25. Section 167.62. Oaths and affirmations.—Clarity.

Subsection (c) provides for a written oath or affirmation to be signed in the presence of the notary public. This section does not require the notary public to compare the signature as required under the parallel provisions in Sections 167.61 (relating to acknowledgments), 167.63 (relating to verifications on oath or affirmation) and 167.64 (relating to witnessing or attestation of signatures). If the requirement to compare signatures is retained in Sections 167.61, 167.63 and 167.64 of the final regulation, we ask the Department to add the requirement to this subsection.

26. Section 167.64. Witnessing or attestation of signatures.—Clarity and lack of ambiguity; Reasonableness of requirements, implementation procedures and timetables for compliance.

Subsection (c) requires that the document containing the signature being attested “shall be signed in the notary public’s presence.” Does this provision make it impossible to attest to the validity of a signature on a previously signed document? We ask the Department to clarify this provision in the final regulation or to explain the reasonableness of this requirement.

27. Section 167.65. Certified or attested copies and depositions.—Clarity and lack of ambiguity.

Subsection (c), regarding electronic records, requires a notary public to compare an original record to a copy. A commenter explains that “original” has clear meaning when applied to a paper record, but not an electronic record. What is an original electronic document? We ask the Department to explain in the Preamble to the final-form regulation the process for comparing electronic records and to clarify this provision as necessary in the final-form regulation.

Subchapter G. NOTARIAL CERTIFICATES**28. Section 167.71. Certificate of notarial act.—Clarity and lack of ambiguity.**

Subsections (c) and (d) address attaching a notarial certificate and signing a paper certificate, respectively. Do parallel provisions apply to electronic records? We ask the Department to explain in the Preamble to the final-form regulation why these provisions do not apply to electronic certificates, or to amend the final regulation to include parallel provisions as appropriate.

Subsection (d) requires a notary public to “legibly print his name immediately adjacent to his preferred signature” if it “is not legible and recognizable.” Commenters note that the notary public’s name is in the official stamp, thereby identifying the name of the notary public. We ask the Department to explain in the Preamble to the final-form regulation why the notary public’s name on the official stamp is not sufficient, or to amend the final regulation.

Subchapter H. USE OF ELECTRONIC NOTARIZATION**29. Section 167.81. Notification regarding use of electronic notarization.—Clarity and lack of ambiguity; Reasonableness of requirements, implementation procedures.**

As noted elsewhere, the title of this section, “Notification regarding use of electronic notarization,” is ambiguous, especially considering that we do not see any reference to notification within this subsection. We ask the Department to clarify the title of this section.

Subsection (a) refers to a notary public with an “unrestricted commission.” We find that the Department also uses this term in the instructions for electronic notarization on its website; however, this term is not defined. We ask the Department to define this term or amend the final regulation and any other references to this term to clarify the provision for the regulated community.

Subsection (c) provides a list of information required to be submitted to the Department for a notary public to obtain authorization as an electronic notary public. As noted in Comment # 1, the full process for obtaining this authorization is unclear. Is a notary public required to reapply when the commission expires? Is this authorization noted on the commission? In the Preamble to the final-form regulation, we ask the Department to explain the process for this authorization for the regulated community, and to expand Subchapter H (relating to use of electronic notarization) as necessary to ensure all of the requirements necessary for authorization are included.

Paragraphs (c)(5)—(7) relate to obtaining authorization as an electronic notary public and reference an “electronic notarization solution provider” and a “solution provider,” which is assumed to be a shortened version. We note that Subsection 167.82(a) (relating to electronic notarization requirements) states that a notary public performing electronic notarization shall use an “electronic notarization solution” approved by the Department. We ask the Department to define the terms “electronic notarization solution provider” and “electronic notarization solution” in the final-form regulation, to use them consistently, and to include in the final-form regulation where the list of approved electronic notarization solution providers can be found.

30. Section 167.82. Electronic notarization requirements.—Clarity and lack of ambiguity.

Subsection (a) states, “Before performing any electronic notarization, the notary public shall take reasonable steps to ensure that the solution used is valid and has not expired, been revoked or been terminated by the solution provider.” What is the need for this requirement? Why would the Department approve an electronic notarization solution provider if the solution offered by that provider isn’t valid and has expired, been revoked or terminated by the solution provider?

As a follow-up to the final paragraph under Comment # 28, the Department uses the term “solution,” which is assumed to be a shortened version of “electronic notarization solution.” The Department should ensure that it uses consistent terminology in the final regulation.

Subchapter I. NOTARY PUBLIC EDUCATION**31. Section 167.91. Definitions.—Statutory authority.**

The Department defines “course of study” as “basic or continuing education, offered by live classroom instruction, *correspondence course* or interactive distance education means . . .” (Emphasis added.) The Act states in Section 322 (relating to examination, basic education and continuing education) that both basic education courses and continuing education courses “must either be interactive or classroom instruction.” 57 Pa.C.S.A. § 322. We ask the Department to explain its authority to include correspondence course in its definition of course of study.

32. Section 167.92. Provider certificate of approval.—Clarity and lack of ambiguity.

Subsection (h) states that “a provider may *reapply* for reapproval. . . .” (Emphasis added.) The Department

should revise the final regulation to clarify that a provider “*applies* for reapproval. . . .” (Emphasis added.)

33. Section 167.93. Lesson plan.—Clarity and lack of ambiguity.

Paragraph (a)(5) requires a lesson plan to contain procedures to ensure that the information contained in the certificate of education under Section 167.97 (relating to certificate of education) cannot be viewed by any other than the approved vendor issuing the certificate, an employee, agent, instructor, contractor or subcontractor of the approved vendor issuing the certificate, or the notary public applicant or notary public named in the certificate. What is the need for such extensive security when the information contained in Section 167.97 is the name of the provider and course of study, the name of the applicant, date the course was completed and a statement that the certificate is valid for six months? Further, is the Department excluded from viewing the certificate? Also, if retained, we ask the Department to evaluate whether this section is the appropriate placement.

Paragraph (a)(6) does not address the possibility that a provider may offer correspondence courses (which are permitted in Section 167.91 (relating to definitions)). If correspondence courses are permitted, the final-form regulations regarding lesson plan should be revised to address correspondence courses. Likewise, Paragraph (a)(7) addressing a schedule of time should be revised in the final regulation to address correspondence courses.

34. Section 167.95. Notification of changes of provider information.—Clarity and lack of ambiguity; Need for the regulation.

The final sentence in this section states, “A provider may confirm receipt by the Department by phone or e-mail.” Since this sentence is not a requirement of the regulated community, what is the need for it in the regulation?

A similar sentence is included in Subsection 167.104(a) (relating to cancellation of certificate of approval).

35. Section 167.97. Certificate of education.—Need for the regulation; Reasonableness of requirements, implementation procedures.

Subsection (a) states that a provider shall issue a certificate of education to a notary public applicant upon completion of an approved course of study. Subsection (b) states the certificate of education shall be issued by the provider to a notary public applicant only after the person has successfully completed the approved course of study. How are these requirements different? We ask the Department to delete one of these provisions or to explain the need for and reasonableness of keeping both provisions.

Subsection (d) requires a provider to submit revisions to the content or appearance of the certificate of education to the Department for approval at least 30 calendar days prior to issuing the revised certificate to a notary public. Where in the regulation does the Department initially approve the certificate? Since the certificate must contain the items in Subsection (c)(1)—(5), any other content is optional. Assuming the Department has approved a certificate of education, what is the need for requiring a provider to submit revisions to optional content or a certificate’s appearance?

Finally, should this section contain a timeframe for issuing the certificate of education since Paragraph (c)(5) states that the certificate of education is valid for a period of six months?

36. Section 167.103. Termination of certificate of approval.—Clarity and lack of ambiguity; Implementation procedures.

Paragraph (a)(6) states that the Department may terminate a certificate of approval for “failure to prepare course attendees to pass the notary public examination so that an *adequate pass rate* is not maintained.” (Emphasis added.) This is non-regulatory language which does not establish a binding norm for the regulated community. The Department should revise this provision in the final regulation to provide clarity for compliance.

Subchapter J. PROHIBITED ACTS AND SANCTIONS

37. Section 167.111. Offenses involving fraud, dishonesty or deceit.—Clarity and lack of ambiguity.

The Department provides the regulated community no context for this section, or for Subchapter J (relating to prohibited acts and sanctions) which contains sections related to offenses, reporting, disciplinary action, unauthorized practice of law and advertising. The Department should cross-reference Section 323 of the Act (relating to sanctions) (57 Pa.C.S.A. § 323) and clearly state that the Department has the authority to issue sanctions.

38. Section 167.112. Rebuttable presumption against appointment.—Clarity and lack of ambiguity.

Subsection (a) states that a person convicted under Section 167.111 (relating to offenses involving fraud, dishonesty or deceit) within five years preceding the date of application for appointment is presumed ineligible for appointment as a notary public. Other than this reference and one found in Section 167.115 (relating to factors considered in disciplinary action) which refers to denying an application, we do not see that Subchapter J (relating to prohibited acts and sanctions) addresses the requirements for a person who seeks appointment after being convicted or subject to disciplinary action. We ask the Department to ensure that the final regulation makes clear the process for becoming a notary public following disciplinary action or conviction. Additionally, we note that the language in Subsection (a) which states “. . . for any felony offense or any misdemeanor offense involving . . .” differs from that of Subsection (c) which states “. . . for a felony or offense involving . . .” The Department should ensure that the language of the final regulation is consistent and lacks ambiguity.

The Department should clarify in Subsection (d) that the five-year period is the five-year period preceding the date of application.

Finally, should all references to appointment be changed to reappointment since this section refers to a notary public? This comment applies to Sections 167.113 (relating to reporting of crimes, disciplinary action and other matters) and 167.115 (relating to factors considered in disciplinary action).

39. Section 167.114. Conduct providing the basis for disciplinary action.—Clarity and lack of ambiguity.

In the Preamble, the Department states that the list in this section is meant to “provide examples and not to be exhaustive.” As proposed, this provision is a finite list. If the Department intends to include additional acts or omissions, the Department should revise and clarify this provision in the final regulation.

40. Section 167.115. Factors considered in disciplinary action.—Clarity and lack of ambiguity.

As noted in Comment # 1, while titled “Factors considered in disciplinary action,” the section states that the listed factors are also to be considered when determining whether to deny an application. We ask the Department to clarify the title of this section.

41. Regulatory Analysis Form (RAF).

The Department cites 57 Pa.C.S.A. § 327(a) in response to Question # 8 which asks for statutory authority for the regulation. We note that the Department includes additional citations for its statutory authority in the Preamble to the proposed regulation, and ask the Department to ensure that the citations included in the Preamble to the final regulation and RAF are consistent.

In response to Question # 17 which asks the Department to identify the economic impact of the regulation and Question # 19 which asks for the specific estimate of the costs to the regulated community, the Department does not include the cost of new applicant basic education. We ask the Department to amend the final form RAF and address this additional cost and its impact.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-1950. Filed for public inspection December 14, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Mark Anthony Johns; Doc. No. SC18-11-2018

Notice is hereby given of the Order to Show Cause issued on November 29, 2018, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: section 611-A(4), (6), (7), (17) and (20) of The Insurance Department Act of 1921 (40 P.S. § 310.11(4), (6), (7), (17) and (20)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If the respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—588 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

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, contact Donna Fleischauer, Agency ADA Coordinator, at (717) 705-4194.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1951. Filed for public inspection December 14, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Jason R. Anthony; License Denial Appeal; Doc. No. AG18-11-023

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Jason R. Anthony has appealed the denial of an application for an insurance producer’s license. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for January 10, 2019, at 11 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 hearing shall occur on January 24, 2019, at 10 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Protests, petitions to intervene or notices of intervention, if any, must be filed on or before December 27, 2018, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to protests, petitions to intervene or notices of intervention, if any shall be filed on or before January 8, 2019.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing, should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1952. Filed for public inspection December 14, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

Tokio Millenium Re AG, a reinsurer organized under Swiss law, has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on November 27, 2018, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345

Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1953. Filed for public inspection December 14, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

Underwriters at Lloyd's, London has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on December 3, 2018, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, krankin@pa.gov. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1954. Filed for public inspection December 14, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Principal Life Insurance Company (SERFF # TRIP-131735489); Rate Increase Filing for Group Form FR-601

Principal Life Insurance Company is requesting approval to increase the premium 87.3% on 40 policyholders with Group Form FR-601.

Unless formal administrative action is taken prior to February 28, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Michael Anstead, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, manstead@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 18-1955. Filed for public inspection December 14, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held as follows. Failure by the appellants to appear at the scheduled hearings may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

Appeal of Andre and Penelope Long; Automobile Insurance Company of Hartford, CT; File No. 18-130-229813; Doc. No. P18-11-027; January 15, 2019, 10 a.m.

Appeal of Elwood S. Moyle; Geico Casualty Company; File No. 18-176-229417; Doc. No. P18-11-022; January 16, 2019, 9:30 a.m.

Following the hearings and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at each 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 a previously-referenced 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. 18-1956. Filed for public inspection December 14, 2018, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-18-010, Dated November 7, 2018. Authorizes the side letter between the Commonwealth

and AFSCME concerning the salary, working conditions and the Articles of the Master Agreement which are applicable to all temporary clerical pool employees and temporary adjunct custodial pool employees for the period July 1, 2016 through June 30, 2019.

Governor's Office

Manual No. 210.9—The Commonwealth of Pennsylvania General Records Retention and Disposition Schedule, Amended November 18, 2018.

Manual No. 530.15—Pennsylvania State Police Health Benefits Program Administrative Manual, Amended October 22, 2018.

DUANE M. SEARLE,
Director

Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 18-1957. Filed for public inspection December 14, 2018, 9:00 a.m.]

OFFICE OF THE BUDGET

Statutory Cost of Living Increases for Salaries of State Officials and the Heads of Departments, Boards and Commissions

Section 3(e) of the Public Official Compensation Act, the act of September 30, 1983 (P.L. 160, No. 39) as amended by Section 2 of the act of October 19, 1995 (P.L. 324, No. 51) mandates that the salaries of the Governor, Lieutenant Governor, State Treasurer, Auditor General, Attorney General, and the heads of the departments and members of boards and commissions shall be increased by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12-month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics (BLS) immediately prior to the date adjustment is due to take effect.

As required by Section 3(e) of the Public Official Compensation Law, the Governor has determined, based on the change in the CPI-U (PA-DE-NJ-MD) over the past 12 months as reported by BLS on November 14, 2018, that the salaries covered by that law shall be increased by 1.6% effective January 1, 2019. The following chart lists the position, the salary prior to the adjustment, the percentage increase of the adjustment, and the new salary:

COLA Adjustment for Elected and Appointed Officials Receiving Salaries Contained in Act 1995-51

COLA Adjustment is Based on the Percent Change in the CPI-U for PA-DE-NJ-MD, CMSA, for the 12-Month Period Ending October 2018

<i>Position</i>	<i>Salary Prior to 1/1/2019</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2019</i>
Governor	\$194,850	1.6%	\$197,968
Lieutenant Governor	\$163,672	1.6%	\$166,291
State Treasurer	\$162,115	1.6%	\$164,709
Auditor General	\$162,115	1.6%	\$164,709
Attorney General	\$162,115	1.6%	\$164,709
Large Agency Head	\$155,879	1.6%	\$158,373
Secretary of Education			
Secretary of Environmental Protection			
Secretary of Health			
Secretary of Labor and Industry			
Secretary of Human Services			
Secretary of Transportation			
Secretary of Corrections			
Medium Agency Head	\$148,085	1.6%	\$150,454
Secretary of Aging			
Secretary of Community & Economic Development			
Secretary of General Services			
Secretary of Revenue			

<i>Position</i>	<i>Salary Prior to 1/1/2019</i>	<i>COLA Adjustment</i>	<i>Salary Effective 1/1/2019</i>
State Police Commissioner			
Secretary of Conservation & Natural Resources			
Small Agency Head	\$140,291	1.6%	\$142,536
Adjutant General			
Secretary of Agriculture			
Secretary of Banking and Securities			
Secretary of the Commonwealth			
Insurance Commissioner			
Secretary of Drug and Alcohol Programs*****			
Liquor Control Board			
Chairman	\$79,184	1.6%	\$80,451
Member	\$76,066	1.6%	\$77,283
Civil Service Commission****			
Chairman	\$89,102	1.6%	\$90,528
Member	\$85,675	1.6%	\$87,046
State Tax Equalization Board			
Chairman	\$27,280	1.6%	\$27,716
Member	\$25,330	1.6%	\$25,735
Milk Marketing Board			
Chairman	\$25,330	1.6%	\$25,735
Member	\$24,356	1.6%	\$24,746
Securities Commission***			
Chairman	\$42,619	1.6%	\$43,301
Member	\$38,883	1.6%	\$39,505
Athletic Commission			
Chairman	\$20,462	1.6%	\$20,789
Member	\$19,483	1.6%	\$19,795
Board of Pardons			
Member	\$17,925	1.6%	\$18,212
Public Utility Commission			
Chairman	\$150,585	**	\$152,954
Member	\$148,085	1.6%	\$150,454
Environmental Hearing Board*			
Chairman	\$150,585	*	\$152,954
Member	\$148,085	*	\$150,454
Board of Claims*****			
Chairman	\$143,914	1.6%	\$146,217
Member	\$136,338	1.6%	\$138,519

*: The Environmental Hearing Board is not listed in Act 1995-51, but separate legislation requires that the Board's members receive the same compensation as the PUC.

** : Act 1995-51 requires that the PUC Chairman shall receive \$2,500/yr. more than PUC Members.

***: Per Act 1998-51.

****: Per Act 2002-140 effective November 27, 2002.

*****: Per Act 2002-118, effective October 2, 2002.

*****: The salary for the Secretary of Drug and Alcohol Programs has not yet been set by statute.

RANDY C. ALBRIGHT,
Secretary

[Pa.B. Doc. No. 18-1958. Filed for public inspection December 14, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2018-3006267. Consolidated Communications of Pennsylvania Company and Onvoy, LLC. Joint petition of Consolidated Communications of Pennsylvania Company and Onvoy, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Consolidated Communications of Pennsylvania Company and Onvoy, LLC by their counsel, filed on November 30, 2018, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Consolidated Communications of Pennsylvania Company and Onvoy, LLC joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov and at the applicant's business address.

The contact person is Robert Marinko, Office of Special Assistants, (717) 783-3930.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1959. Filed for public inspection December 14, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Transfer of Control

A-2018-3006314 and A-2018-3006315. Service Electric Cable T.V., Inc., Service Electric Telephone Company, LLC and Ironton Telephone Company. Joint application of Service Electric Cable T.V., Inc., Service Electric Telephone Company, LLC and Ironton Telephone Company for approval of a general rule transfer of control.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 31, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Joint Applicants: Service Electric Cable T.V., Inc.; Service Electric Telephone Company, LLC; Ironton Telephone Company

Through and By Counsel: Michael P. Donahue, Esquire, Marashlian & Donahue, PLLC, 1420 Spring Hill Road, Suite 401, Tysons, VA 22102

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1960. Filed for public inspection December 14, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Water Service

A-2018-3006332. Pennsylvania American Water Company. Application of Pennsylvania American Water Company for approval to begin to offer, render, furnish or supply water service to the public in an additional portion of Lancaster Township, Butler County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before December 31, 2018. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: Pennsylvania American Water Company

Through and By Counsel: Elizabeth Rose Triscari, Esquire, Pennsylvania American Water Company, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-1961. Filed for public inspection December 14, 2018, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as a common carrier in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than December 31, 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-18-11-09. Yes Limousine, LLC (1 International Plaza, Suite 550, Philadelphia, PA 19113): An application for a limousine certificate of public convenience (CPC) to transport persons and their baggage in luxury limousine service on an exclusive basis, arranged for in advance, between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Charles Milstein, Esq., 7102 Frankford Avenue, Philadelphia, PA 19135.

Doc. No. A-18-11-10. Hakeem Trans, LLC (202 Copley Road, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of

Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

Doc. No. A-18-12-01. T&A Limousine, LLC (213 Kingston Road, Upper Darby, PA 19082): An application for a limousine CPC to transport persons and their baggage in luxury limousine service on an exclusive basis, arranged for in advance, between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 18-1962. Filed for public inspection December 14, 2018, 9:00 a.m.]