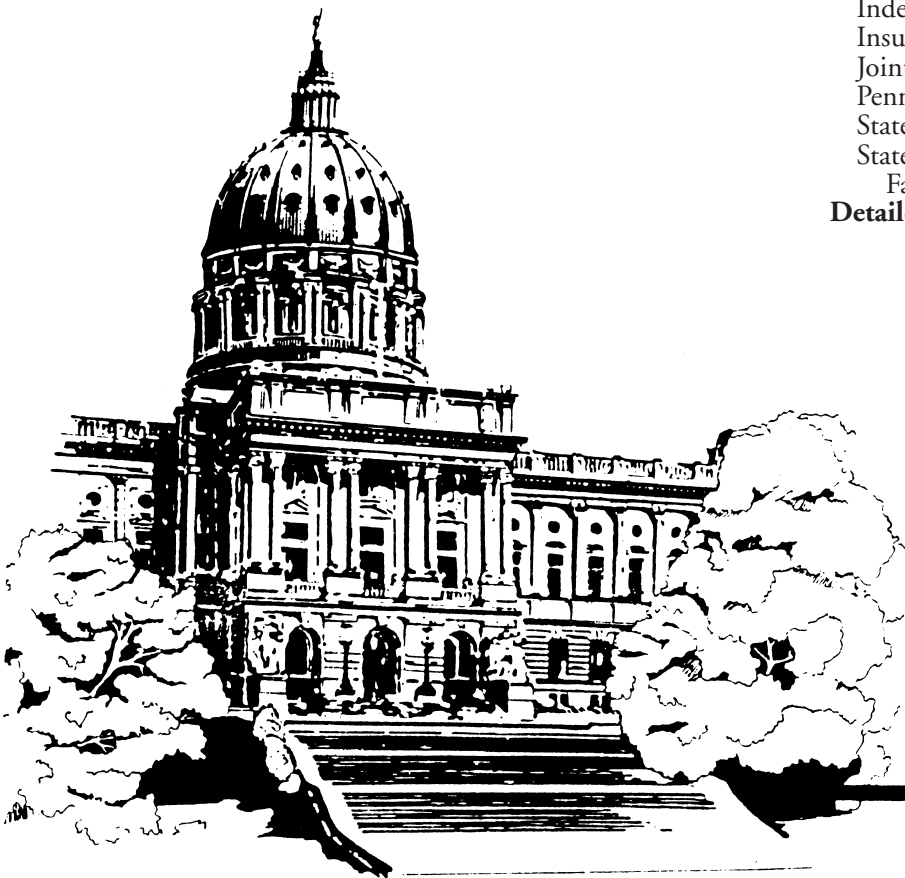


PENNSYLVANIA BULLETIN

Volume 48
Saturday, February 10, 2018 • Harrisburg, PA
Number 6
Pages 847—966

Agencies in this issue

The General Assembly
The Courts
Department of the Auditor General
Department of Banking and Securities
Department of Environmental Protection
Department of Health
Department of Human Services
Environmental Quality Board
Independent Regulatory Review Commission
Insurance Department
Joint Committee on Documents
Pennsylvania Public Utility Commission
State Board of Nursing
State Board of Social Workers, Marriage and
Family Therapists and Professional Counselors
Detailed list of contents appears inside.



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

No. 519, February 2018

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

CHANGE NOTICE/NEW SUBSCRIPTION

If information on mailing label is incorrect, please email changes to info@pbulletin.com or mail to:

FRY COMMUNICATIONS, INC.
Attn: *Pennsylvania Bulletin*
800 W. Church Rd.
Mechanicsburg, PA 17055-3198

CUSTOMER NUMBER (6 digit number above name on mailing label)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City) (State) (Zip Code)

TYPE OR PRINT LEGIBLY

PENNSYLVANIA



BULLETIN

(ISSN 0162-2137)

The *Pennsylvania Bulletin* is published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pennsylvania 17120, under the policy supervision and direction of the Joint Committee on Documents under 4 Pa.C.S. Part II (relating to publication and effectiveness of Commonwealth documents). The subscription rate is \$82.00 per year, postpaid to points in the United States. Individual copies are \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

Postmaster send address changes to:

FRY COMMUNICATIONS, Inc.
Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198
(717) 766-0211 ext. 2340
(800) 334-1429 ext. 2340 (toll free, out-of-State)
(800) 524-3232 ext. 2340 (toll free, in State)

Orders for subscriptions and other circulation matters should be sent to:

Fry Communications, Inc.
Attn: *Pennsylvania Bulletin*
800 West Church Road
Mechanicsburg, Pennsylvania 17055-3198

Copyright © 2018 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 West Church Road, Mechanicsburg, Pennsylvania 17055-3198.

CONTENTS

THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Meetings scheduled 855

THE COURTS

COMMONWEALTH COURT

Request for bids 865

LOCAL COURT RULES

Bradford County

Local rules of judicial administration; No. 20161R0074 863

Lehigh County

Rule 205.4 authorizing an e-filing program for civil cases; No. 2018-J-20 863

RULES OF CRIMINAL PROCEDURE

Order adopting new Rule 576.1 and amending Rules 113, 114 and 576 of the Rules of Criminal Procedure; No. 502 criminal procedural rules doc. 856

EXECUTIVE AND INDEPENDENT AGENCIES

DEPARTMENT OF THE AUDITOR GENERAL

Statements of Policy

Auditee reporting requirements 879

DEPARTMENT OF BANKING AND SECURITIES

Notices

Actions on applications 884

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices

Agricultural Advisory Board meeting cancellation 950

Applications, actions and special notices 885

Rates to be used for calculating long-term operation and maintenance cost bonds for water supply replacement mining operations 950

Storage Tank Advisory Committee meeting cancellation 950

DEPARTMENT OF HEALTH

Notices

Sexual assault victim emergency services regulation listing of hospitals that may not provide emergency contraception and hospitals that may not provide any sexual assault emergency services. 951

DEPARTMENT OF HUMAN SERVICES

Notices

Disproportionate share and supplemental hospital payments 951

Payment for nursing facility services provided by county nursing facilities; county nursing facility supplementation payment for fiscal year 2017-2018 952

Payment for nursing facility services provided by nonpublic and county nursing facilities; supplemental ventilator care and tracheostomy care add-on payment for fiscal year 2017-2018 952

Payment for nursing facility services provided by nonpublic nursing facilities located in a county of the first class; nonpublic nursing facility supplementation payment for fiscal year 2017-2018 953

Payment for nursing facility services provided by nonpublic nursing facilities located in a county of the eighth class; nonpublic nursing facility supplementation payment for fiscal year 2017-2018 953

Payment for nursing facility services provided by a special rehabilitation facility located in a city of the third class; special rehabilitation facility payment for fiscal year 2017-2018 954

ENVIRONMENTAL QUALITY BOARD

Rules and Regulations

Stream redesignations (Sobers Run, et al.) 866

Notices

Approval of recommendations for no change 954

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices

Notice of comments issued 955

INSURANCE DEPARTMENT

Notices

Application and request for a certificate of authority to provide a continuing care retirement community by Community Healthcare Operator, Inc. 958

Continental General Insurance Company (SERFF # GLTC-131216195); rate increase filing for several individual LTC forms 958

Notice to workers' compensation insurance carriers; special schedule "W" data call 958

Review procedure hearings under the Unfair Insurance Practices Act 959

JOINT COMMITTEE ON DOCUMENTS

Notices

Notice of filing of final rulemaking 959

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Statements of Policy

Motor common carrier applications 882

Notices

Service of notice of motor carrier applications 959

Service of notice of motor carrier formal complaints .. 960

Available Online at <http://www.pabulletin.com>

STATE BOARD OF NURSING

Notices

Bureau of Professional and Occupational Affairs v.
Donna Pirtle, LPN; file No. 12-51-05161; doc. No.
1677-51-13 964

**STATE BOARD OF SOCIAL WORKERS, MARRIAGE
AND FAMILY THERAPISTS AND PROFESSIONAL
COUNSELORS**

Proposed Rulemaking

Licensed bachelor social worker; fees 872

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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

Subscription Information: (717) 766-0211
General Information and Finding Aids: (717) 783-1530

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).

Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish information except as provided by 1 Pa. Code § 3.44:

§ 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the [Legislative Reference] Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

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.

4 Pa. Code (Administration)

Adopted Rules

1	210
6	212, 214
7a	217

Statements of Policy

9	37, 299, 522
501	879

10 Pa. Code (Banking and Securities)

Adopted Rules

1	389
102	389
202	389
203	389
204	389
205	389
206	389
207	389
208	389
209	389
210	389
211	389
301	389
302	389
303	389
304	389
305	389
401	389
404	389
501	389
504	389
513	389
601	389
602	389
603	389
604	389
605	389
606	389
609	389
610	389
701	389
901	389
1001	389

17 Pa. Code (Conservation and Natural Resources)

Proposed Rules

53	515
----------	-----

25 Pa. Code (Environmental Protection)

Adopted Rules

93	866
208	251

Proposed Rules

77	733
901	255
902	255
903	255

31 Pa. Code (Insurance)

Proposed Rules

89	517
----------	-----

37 Pa. Code (Law)

Proposed Rules

33	297
301	267, 742
311	267, 742

Statements of Policy

471	608
-----------	-----

49 Pa. Code (Professional and Vocational Standards)

Proposed Rules

47	872
----------	-----

52 Pa. Code (Public Utilities)

Statements of Policy

41	882
----------	-----

58 Pa. Code (Recreation)

Adopted Rules

801	21
802	21
803	21
1001	29

201 Pa. Code (Rules of Judicial Administration)

Adopted Rules

7	595
---------	-----

204 Pa. Code (Judicial System General Provisions)

Adopted Rules

29	222
89	727
91	727
303	716

210 Pa. Code (Appellate Procedure)

Adopted Rules

1	461
5	461
7	461
9	461
11	461
13	461
15	461
17	461
19	461
21	461
25	461
27	461

231 Pa. Code (Rules of Civil Procedure)

Adopted Rules

200	224, 475
1000	475
1900	477
1910	477
1915	477
1920	477
1930	477
1950	477
2020	475
Part II	483

Proposed Rules

Part II	486, 728
---------------	----------

234 Pa. Code (Rules of Criminal Procedure)
Adopted Rules
1 487, 490, 856
4 224
5 487, 729, 856
Proposed Rules
4 496
5 507

246 Pa. Code (Minor Court Civil Rules)
Adopted Rules
200 511
249 Pa. Code (Philadelphia Rules)
Unclassified 10, 227, 731, 732
255 Pa. Code (Local Court Rules)
Unclassified 10, 227, 236, 249, 513, 596, 598, 863

THE GENERAL ASSEMBLY

COMMISSION ON SENTENCING

Meetings Scheduled

The Commission on Sentencing (Commission) announces the following meetings to be held at the Harrisburg Hilton and Towers Hotel, One North Second Street, Harrisburg, PA and at the Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, PA:

Wednesday, March 7, 2018	6:30 p.m.	Dinner Meeting Harrisburg Hilton and Towers Hotel One North Second Street Harrisburg, PA
Thursday, March 8, 2018	9 a.m.	Policy Committee Meeting Pennsylvania Judicial Center 601 Commonwealth Avenue Harrisburg, PA
	11 a.m.	Quarterly Commission Meeting Pennsylvania Judicial Center 601 Commonwealth Avenue Harrisburg, PA

MARK H. BERGSTROM,
Executive Director

[Pa.B. Doc. No. 18-210. Filed for public inspection February 9, 2018, 9:00 a.m.]



THE COURTS

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CHS. 1 AND 5]

Order Adopting New Rule 576.1 and Amending Rules 113, 114 and 576 of the Rules of Criminal Procedure; No. 502 Criminal Procedural Rules Doc.

Order

Per Curiam

And Now, this 25th day of January, 2018, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been published before adoption at 46 Pa.B. 1643 (April 2, 2016), 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 Pennsylvania Rule of Criminal Procedure 576.1 is adopted and Pennsylvania Rules of Criminal Procedure 113, 114, and 576 are amended, in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective May 1, 2018.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

PART A. Business of the Courts

Rule 113. Criminal Case File and Docket Entries.

* * * * *

(C) The docket entries shall include at a minimum the following information:

* * * * *

(8) all other information required by Rules 114 and 576.

(D) If a judicial district has provided for electronic filing pursuant to Rule 576.1, the criminal case file in which electronic filing has been utilized may be maintained solely in an electronic format as long as copies of the documents maintained in the criminal case file may be produced in a physical paper format.

Comment

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

* * * * *

Official Note: Former Rule 9024 adopted October 21, 1983, effective January 1, 1984; amended March 22, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994; renumbered Rule 9025 June 2, 1994, effective September 1, 1994. New Rule 9024 adopted June 2, 1994, effective September 1, 1994; renumbered Rule 113 and amended March 1, 2000,

effective April 1, 2001; rescinded March 3, 2004 and replaced by Rule 114(C), effective July 1, 2004. New Rule 113 adopted March 3, 2004, effective July 1, 2004; amended July 31, 2012, effective November 1, 2012; Comment revised October 22, 2013; effective January 1, 2014; **amended January 25, 2018, effective May 1, 2018.**

Committee Explanatory Reports:

* * * * *

Final Report explaining the October 22, 2013 revisions to the Comment regarding the unexecuted search warrants published with the Court's Order at 43 Pa.B. 6652 (November 9, 2013).

Final Report explaining January 25, 2018 amendment providing for maintenance of electronically filed documents published with the Court's Order at 48 Pa.B. 861 (February 10, 2018).

Rule 114. Orders and Court Notices: Filing; Service; and Docket Entries.

* * * * *

(B) Service

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

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

(3) Methods of Service

Except as otherwise provided in Chapter 5 concerning notice of the preliminary hearing, service shall be:

* * * * *

(c) A party's attorney, or the party if unrepresented, may request to receive service of court orders or notices pursuant to this rule by facsimile transmission or other electronic means by

(i) filing a written request for this method of service in the case or including a facsimile number or an electronic address on a prior legal paper filed in the case; or

(ii) filing a written request for this method of service to be performed in all cases, specifying a facsimile number or an electronic address to which these orders and notices may be sent.

The request for electronic service in all cases filed pursuant to paragraph (ii) may be rescinded at any time by the party's attorney, or the party if unrepresented, by filing a written notice that service of orders and notices shall be accomplished as otherwise provided in this rule.

(d) In a judicial district that permits electronic filing pursuant to Rule 576.1, service of court orders or notices shall be made as provided in Rule 576.1(D)(2) and (H)(1).

(C) Docket Entries

* * * * *

Comment

This rule was amended in 2004 to provide in one rule the procedures for the filing and service of all orders and court notices, and for making docket entries of the date of

receipt, date appearing on the order or notice, and the date of service. This rule incorporates the provisions of former Rule 113 (Notice of Court Proceedings Requiring Defendant's Presence). *But see* Rules 511, [540(F)(2)] 540(G)(2), and 542(G) for the procedures for service of notice of a preliminary hearing, which are different from the procedures in this rule.

Historically, some orders or court notices have been served by the court administrator or by the court. Paragraph (B)(2) permits the president judge to continue this practice by designating either the court or the court administrator to serve orders and court notices. When the president judge makes such a designation, the designation must be in the form of a local rule promulgated in compliance with Rule 105 (Local Rules) **and Rule of Judicial Administration 103 (Procedures for Adoption, Filing, and Publishing Rules)**.

* * * * *

Paragraph (D), titled "Unified Practice," emphasizes that local rules must not conflict with the statewide rules. Although this prohibition on local rules that are inconsistent with the statewide rules applies to all Criminal Rules through Rule 105 (Local Rules) **and Rule of Judicial Administration 103 (Procedures for Adoption, Filing, and Publishing Rules)**, the reference to the specific prohibitions is included because these types of local rules have been identified by practitioners as creating significant impediments to the statewide practice of law within the unified judicial system. *See* the first paragraph of the [Rule 105 Comment] **Note to Pa.R.J.A. No. 103**. The term "local rule" includes every rule, regulation, directive, policy, custom, usage, form or order of general application. *See* [Rule 105(A)] **Pa.R.J.A. No. 103(d)(1)**.

For the definition of "carrier service," see Rule 103.

See Rule 103 for the definitions of "clerk of courts" and "court administrator."

See Rule 113 (Criminal Case File and Docket Entries) for the requirements concerning the contents of the criminal case file and the minimum information to be included in the docket entries.

Official Note: Formerly Rule 9024, adopted October 21, 1983, effective January 1, 1984; amended March 22, 1993, effective as to cases in which the determination of guilt occurs on or after January 1, 1994; renumbered Rule 9025 and Comment revised June 2, 1994, effective September 1, 1994; renumbered Rule 114 and Comment revised March 1, 2000, effective April 1, 2001; amended March 3, 2004, effective July 1, 2004; amended August 24, 2004, effective August 1, 2005; amended July 20, 2006, effective September 1, 2006; Comment revised September 18, 2008, effective February 1, 2009; amended December 6, 2010, effective February 1, 2011; **amended January 25, 2018, effective May 1, 2018.**

Committee Explanatory Reports:

* * * * *

Final Report explaining the December 6, 2010 amendment concerning consent to electronic service published with the Court's Order at 40 Pa.B. 7336 (December 25, 2010).

Final Report explaining January 25, 2018 amendments for service where a court has adopted electronic filing published with the Court's Order at 48 Pa.B. 861 (February 10, 2018).

CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

PART G(1). Motion Procedures

Rule 576. Filing and Service by Parties.

(A) FILING

(1) All written motions and any written answers, and any notices or documents for which filing is required, shall be filed with the clerk of courts.

(2) Filing shall be [by]:

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

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

(c) in a judicial district that permits electronic filing pursuant to Rule 576.1, as provided in Rule 576.1(E).

(3) The clerk of courts shall accept all written motions, answers, notices, or documents presented for filing. When a document, which is filed pursuant to paragraph (A)(1), is received by the clerk of courts, the clerk shall time stamp it with the date of receipt and make a docket entry reflecting the date of receipt, and promptly shall place the document in the criminal case file.

* * * * *

(B) SERVICE

* * * * *

(4) Certificate of Service

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

(b) The certificate of service shall be in substantially the form set forth in the Comment, signed by the party's attorney, or the party if unrepresented, and shall include the date and manner of service, and the names, addresses, and phone numbers of the persons served.

(5) In a judicial district that permits electronic filing pursuant to Rule 576.1, service shall be made as provided in Rule 576.1(D)(2) and (H)(1).

(C) Any non-party requesting relief from the court in a case shall file the motion with the clerk of courts as provided in paragraph (A), and serve the defendant's attorney, or the defendant if unrepresented, the attorney for the Commonwealth, and the court administrator as provided in paragraph (B).

Comment

For the procedures for electronic filing and service as a local option, see Rule 576.1.

Paragraph (A)(1) requires the filing of all written motions and answers. The provision also applies to notices and other documents only if filing is required by some other rule or provision of law. *See, e.g.,* the notice of withdrawal of charges provisions in Rule 561 (Withdrawal of Charges by Attorney for the Commonwealth), the notice of alibi defense and notice of insanity defense or mental infirmity defense provisions in Rule 573 (Pretrial Discovery and Inspection), the notice that offenses or defendants will be tried together provisions in Rule 582 (Joinder—Trial of Separate Indictments or Informations), the notice of aggravating circumstances provisions in Rule 802 (Notice of Aggravating Circumstances), and the

notice of challenge to a guilty plea provisions in Municipal Court cases in Rule 1007 (Challenge to Guilty Plea).

When a motion, notice, document, or answer is presented for filing pursuant to paragraph (A)(1), the clerk of courts must accept it for filing even if the motion, notice, document, or answer does not comply with a rule or statute or appears to be untimely filed. It is suggested that the judicial district implement procedures to inform the filing party when a document is not in compliance with these rules or a local rule so the party may correct the problem.

See *Commonwealth v. Jones*, [549 Pa. 58,] 700 A.2d 423 (Pa. 1997); and *Commonwealth v. Little*, 716 A.2d 1287 (Pa. Super. 1998) concerning the timeliness of filings by prisoners proceeding *pro se* (the “prisoner mailbox rule”).

The 2004 amendments to paragraph (A)(4) modified the procedure by which the clerks of courts handle filings by represented defendants when the defendant’s attorney has not signed the document being filed by the defendant. As amended, paragraph (A)(4) requires, in all cases in which a represented defendant files a document, that the clerk of courts make a docket entry of the defendant’s filing and place the document in the criminal case file, and then forward a copy of the document to both the attorney of record and the attorney for the Commonwealth. See *Commonwealth v. Castro*, 766 A.2d 1283 (Pa. Super. 2001). Compare Pa.R.A.P. 3304 (Hybrid Representation). The requirement that the clerk time stamp and make docket entries of the filings in these cases only serves to provide a record of the filing, and does not trigger any deadline nor require any response. See Rules 120 (Attorneys—Appearance and Withdrawals) and 122 (Assignment of Counsel) concerning the duration of counsel’s obligation under the rules.

Paragraph (A)(4) only applies to cases in which the defendant is represented by counsel, not cases in which the defendant is proceeding *pro se*.

The purpose of paragraph (A)(5) is to ensure documents raising cognizable legal issues submitted to the judge are transmitted to the clerk of courts, and does not relieve the defendant from complying with the other requirements of the rules. When a document is forwarded to the clerk from a judge, if the defendant is unrepresented, the clerk is to proceed as provided in paragraph (A)(3) and the defendant is to be treated like any other party. If the defendant is represented, the clerk is to proceed pursuant to paragraph (A)(4).

Paragraph (A)(6), titled “Unified Practice,” was added in 2004 to emphasize that local rules must not conflict with the statewide rules. Although this prohibition on local rules that are inconsistent with the statewide rules applies to all Criminal Rules through Rule 105 (Local Rules) and Rule of Judicial Administration 103 (Procedures for Adoption, Filing, and Publishing Rules), the reference to the specific prohibitions is included because these types of local rules have been identified by practitioners as creating significant impediments to the statewide practice of law within the unified judicial system. See the first paragraph of the [**Rule 105 Comment**] **Note to Pa.R.J.A. No. 103**. The term “local rule” includes every rule, regulation, directive, policy, custom, usage, form or order of general application. See [**Rule 105(A)**] **Pa.R.J.A. No. 103(d)(1)**.

* * * * *

See Rule 103 (Definitions) for the definitions of court administrator, clerk of courts, and [**motions**] **motion**.

Official Note: Former Rule 9022 adopted October 21, 1983, effective January 1, 1984; amended March 22, 1993, effective January 1, 1994; amended July 9, 1996, effective September 1, 1996; renumbered Rule 576 and amended March 1, 2000, effective April 1, 2001. Former Rule 9023 adopted October 21, 1983, effective January 1, 1984; amended June 2, 1994, effective September 1, 1994; renumbered Rule 577 and amended March 1, 2000, effective April 1, 2001; rescinded March 3, 2004, effective July 1, 2004. Rules 576 and 577 combined and amended March 3, 2004, effective July 1, 2004, Comment revised June 4, 2004, effective November 1, 2004; Comment revised September 18, 2008, effective February 1, 2009; Comment revised September 21, 2012, effective November 1, 2012; **amended January 25, 2018, effective _____, 2018**.

Committee Explanatory Reports:

* * * * *

Final Report explaining the September 21, 2012 revision of the Comment correcting a typographical error in the thirteenth paragraph published with the Court’s Order at 42 Pa.B. 6251 (October 6, 2012).

Final Report explaining the January 25, 2018 amendment regarding electronic filing and service pursuant to Rule 576.1 published with the Court’s Order at 48 Pa.B. 861 (February 10, 2018).

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

Rule 576.1. Electronic Filing and Service of Legal Papers.

(A) The president judge of a judicial district by local rule promulgated pursuant to Rule 105 and Rule of Judicial Administration 103 may authorize electronic filing of legal papers with the clerk of courts in cases in the courts of common pleas and in the Philadelphia Municipal Court through the statewide electronic filing system as provided in this rule.

(B) Local Rule

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

(a) subject to the provisions in paragraph (B)(4), a statement that the electronic filing system is permissive and specify the legal papers subject to the rule, but in no case shall legal papers prohibited from being filed electronically by this rule be permitted to be filed electronically;

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

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

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

(2) Any judicial district that authorized electronic filing for a period of two years thereafter may amend their local rule, subject to the requirements of Rule 105 and Rule of Judicial Administration 103, to make participation in electronic filing mandatory.

(C) As used in this rule, the following words shall have the following meanings:

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

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

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

(1) applications for search warrants,

(2) applications for arrest warrants,

(3) any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment,

(4) submissions filed *ex parte* as authorized by law, and

(5) submissions filed or authorized to be filed under seal;

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

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

(D) Participation

(1) The system shall permit attorneys and defendants proceeding without counsel to file electronically.

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

(b) A defendant who is proceeding without counsel shall be permitted to utilize the system through an authorization process established by the Administrative Office of Pennsylvania Courts.

(2) Establishment of an account by an attorney or authorization by a defendant proceeding without counsel in the system shall constitute consent to participate in electronic filing, including acceptance of service electronically of any document filed on the system in any judicial district that permits electronic filing.

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

(E) Filing

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

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

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

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

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

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

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

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

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

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

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

(F) Signature

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

(2) The electronic filing of a motion or answer that includes an electronic signature constitutes a certification pursuant to Pa.R.Crim.P. 575 that the filing party or attorney has read the legal paper, that to the best of the filing party’s or attorney’s knowledge, information and belief there is good ground to support the motion or answer, and that it is not interposed for delay.

(3) Any motion that, pursuant to Rule 575(A)(2)(g), avers facts not of record and requiring a sworn affidavit

must be created in a physical paper form, have a physical signature placed on it, and then be converted into a .pdf before it may be electronically filed.

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

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

(H) Service

(1) Upon the submission of a legal paper for electronic filing, the system shall provide an electronic notification to other parties and attorneys to the case who are participating in electronic filing that the legal paper has been submitted. This notification upon submission shall satisfy the service requirements of Rules 114(B) and 576(B) on any attorney or party who has established a system account.

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

(3) Service of electronic filings on any attorney or party who has not established a UJS web portal account or who is unable to file or receive legal papers electronically or otherwise unable to access the system shall be made by the procedures provided under Rules 114(B) and 576(B).

Comment

This rule, adopted in 2018, permits as a local practice the electronic filing of legal papers. This rule does not require the implementation of electronic filing by a local court. To provide a uniform system for electronic filing, the Administrative Office of Pennsylvania Courts has developed the PACFile electronic filing system. This is the only authorized system for electronic filing of legal documents in criminal court cases in the courts of common pleas and Philadelphia Municipal Court.

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

This rule is applicable to cases in courts of record. *See* Rule 103 for the definition of a “court.”

The UJS Portal contains other automated services beside PACFile. There may be circumstances when an attorney, who has registered as a user on another service of the UJS Portal, may have an established account that would be usable for PACFile. Any questions about the

requirements of registration or accessibility to PACFile should be referred to the Administrative Office of Pennsylvania Courts.

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

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

The local rule required by this rule must conform to the requirements of Rule 105 (Local Rules) and Rule of Judicial Administration 103 (Procedures for Adoption, Filing, and Publishing Rules).

A file in physical paper format is not required by this rule. If the local rule requires a file in physical paper format, the requirement may extend to all cases or only to certain specified cases. For example, the court may require files in physical paper format for cases listed for trial or scheduled for argument while maintaining only electronic files for all other cases.

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

Nothing in this rule is intended to prohibit the use of advanced communication technology to submit an application for search warrant as provided in Rule 203(A) or to submit an application for an arrest warrant using advanced communications technology as provided in Rule 513(B)(1).

In addition to the filing fees now applicable, an online payment convenience fee for use of the PACFile system may be imposed. *See* 204 Pa. Code § 207.3.

See Rule 114(B) providing for the clerk of courts to serve orders and court notices by facsimile transmission or other means.

Legal papers filed electronically should be consistent with the formatting requirements of Rule 575(C).

See Rule 576(B) governing service of motions and any written answers, and any notices or documents for which filing is required by facsimile transmission or other means.

See Rule 1002, for the applicability of this rule to summary cases filed in the Philadelphia Municipal Court.

Official Note: New Rule 576.1 adopted January 25, 2018, effective May 1, 2018.

Committee Explanatory Reports:

Final Report explaining new Rule 576.1 providing for electronic filing published with the Court’s Order at 48 Pa.B. 861 (February 10, 2018).

FINAL REPORT¹**Adoption of New Pa.R.Crim.P. 576.1; Amendment of Pa.Rs.Crim.P. 113, 114, and 576****Electronic Filing**

On January 25, 2018, effective May 1, 2018, upon the recommendation of the Criminal Procedural Rules Committee, the Court adopted new Rule 576.1 (Electronic Filing and Service of Legal Papers) and the amendment of Rules 113 (Criminal Case File and Docket Entries), 114 (Orders and Court Notices; Service; and Docket Entries), and 576 (Filing and Service by Parties) to provide procedures for the use of the statewide electronic filing system as a local option.

The Committee has been working on procedures for electronic filing for several years. This began in 2012 when representatives of the First Judicial District (FJD) approached the Committee requesting rule changes that would require the electronic filing of pleadings in criminal cases as a local option. This was part of an initiative to implement an electronic filing system in criminal cases similar to the electronic filing system already in place in Philadelphia for civil and orphans' court cases.

While the Committee believed that the goal of implementing electronic filing was a good one, the Committee had a number of concerns with the specifics of such a proposal that would have made a statewide rule change problematic. The Committee concluded that the best approach was to seek the Court's permission for the FJD to conduct a pilot project during which the electronic filing system could be implemented on a trial basis. The parameters of this experimental electronic filing system would be spelled out in a local rule. In February 2013, upon the Committee's recommendation, the Court issued an Order permitting the Criminal Section of the Trial Division of the First Judicial District to implement a pilot project for the electronic filing of documents by the parties.

One of the Committee's goals for the pilot project was to obtain information as to whether statewide rule changes should be made to accommodate those judicial districts that may wish to implement electronic filing programs. In late 2014, after reviewing data indicating the success of the FJD pilot project and the interest in electronic filing in other judicial districts throughout the Commonwealth, the Committee concluded that it was appropriate to develop statewide rule changes to accommodate this practice.

While working to develop these statewide procedures in cooperation with the Administrative Office of the Pennsylvania Courts Information Technology Department ("AOPC IT"), it was learned that AOPC was working on a statewide electronic filing system for criminal and juvenile cases based on the electronic filing system used in the Appellate Courts, the PACFile system. It was therefore decided that the electronic filing rules should be based on this statewide system rather than on any locally developed systems.

New Rule 576.1

The main provisions for electronic filing are contained in new Criminal Rule 576.1. The basic statement of authority for establishing local e-filing is contained in paragraph (A). Paragraph (B) lists the contents of the local rule required to establish electronic filing locally.

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.

Paragraph (C) is a definitional section. Paragraph (D) provides the procedures for establishing participation in the system. Paragraph (E) discusses the filing and receipt of documents. Paragraph (F) contains provisions regarding electronic signatures. Paragraph (G) permits, with some exceptions, paperless files. Paragraph (H) contains service provisions.

Paragraph (A) of new Rule 576.1 provides the general scope of the procedures. The Committee agreed that electronic filing should not be required in every judicial district but rather available as a local option. Therefore, the rule provides that a judicial district's use of electronic filing is voluntary. The Committee also concluded that those judicial districts that wish to participate in electronic filing should be required to create a local rule permitting electronic filing within the judicial district as was done in the Philadelphia pilot project. This latter provision will permit the Committee to retain some oversight of the process by the local rule review process contained in Rule of Judicial Administration 103 and Criminal Rule 105. The rule also mandates the PACFile system as the only system that is permitted to be used for electronic filing. This is consistent with uniformity of practice and judicial economy.² Additionally, any judicial district desiring to "opt-into" electronic filing must consult with AOPC and agree upon an implementation plan to ensure that AOPC resources are not overtaxed should a large number of judicial districts decide to opt-in at one time.

One of the issues debated at length by the Committee was the question of whether the statewide rules should provide that use of the system was strictly voluntary or should permit a local court to make it mandatory if desired. Ultimately, the Committee agreed to a provision that would provide that a judicial district that opts into electronic filing must initially allow it on a voluntary basis only. After two years from the date of opting into electronic filing, the judicial district would have the option to make it mandatory. Allowing a time period during which it was voluntary with a judicial district-based sunset provision when it could become mandatory would put all practitioners on notice that the change would be upcoming. This coupled with provisions that allow filing by those who were unable to be part of the system, such as *pro se* defendants without computer access, provides sufficient protection in those counties that opted to make it mandatory. This provision is contained in paragraph (B)(2) and language expanding on this concept has been added to the Comment, including a statement that electronic filing should not deny access to court filing.

Legal Papers

Paragraph (C) of Rule 576.1 contains definitions of various terms used in the rule. One of these is a definition of "original document" that includes the electronically filed version of the document as the original. However, the definition makes it clear that electronic copies of exhibits would not be considered originals. This is consistent with Rule of Evidence 1002 (Requirement of the Original).

Also included in paragraph (C) is a definition of "legal paper" that broadly defines the types of documents that may be filed electronically. The Committee discussed how to handle those documents that are physically filed

² The PACFile system will include Philadelphia Municipal Court non-summary and summary cases. Therefore, cases in the Municipal Court are included under paragraph (A). Electronic filing capabilities for magisterial district judge offices currently are not intended to be part of the extension of the PACFile system but may be incorporated into the Magisterial District Judge System at a later date.

because the party does not have the ability or willingness to file electronically even though the documents are permitted to be filed electronically and other parties to the case may have agreed to electronic filing. Using a practice similar to that used in the Philadelphia pilot project, the rule provides that such physical documents must be accepted and then scanned into the system by the Clerk of Courts Office staff. Even after uploading these converted documents into the system, the physical documents would be retained. These provisions are contained in paragraph (E)(10).

The definition of “legal paper” also lists the types of documents that are excluded from electronic filing. If a document is excluded from being filed electronically, it has to be physically filed and the physical document maintained in the case file. While the new rule does contemplate that most legal papers that are filed in a physical paper format may be scanned into the system for the convenience of the user, those documents excluded from the definition of legal papers may not be scanned into the system.

Participation

Paragraph (D) describes how individual participation in electronic filing is initiated. Participation requires that a user establish an account in the PACFile system. The establishment of an account constitutes consent to participate in electronic filing including receipt of service of filed documents. This is a blanket consent for all cases in which that party was participating, including cases in any jurisdiction in which electronic filing is permitted. For *pro se* defendants, there is a requirement for an authorization process based on a similar provision contained in the Court Order for electronic filing in the appellate courts.

There was a question of whether the rules should allow participation that can be initiated for an office, such as the district attorney’s office or public defender, as a whole. The concern was that there may be turn-over or reassignment and, if only the individual attorney was listed on the case, it could fall through the cracks. It was noted that the PACFile system currently permits in appellate cases filing by a named office with specific individuals associated with the office listed as the main filer as well as others being able to be listed as proxies. The Committee concluded that this capability should be utilized in trial court cases, especially since it permits an office to have multiple proxies listed who all would receive notice of a filing and could serve as back-up. However, the Committee concluded that this was more of an administrative matter rather than a rule provision so a reference to this capability is included in the Comment to Rule 576.1.

While the rules generally provide that participation in electronic filing is voluntary (except in those counties that choose to make it mandatory), the Committee discussed whether a party who has agreed to participate in electronic filing should be permitted to file legal papers in a physical paper format. The Committee concluded that this should be permitted since this is a new practice and a filing should not be refused solely because it is not done electronically. However, any party that agrees to participate in electronic filing must accept service electronically. Paragraph (D)(3) therefore includes a statement regarding participation that permits a participating party to file either in a physical paper format or electronically.

Filing and Receipt

Paragraph (E) contains the provisions related to the filing and receipt of legal papers. The Committee

struggled with the question of what constitutes the actual “filing” of a document submitted electronically. This arose in the context of how a filing that is incorrect for some reason, such as improper docket number, would be handled. The main problem arises from the way documents are placed into the PACFile system. A user will submit a document by uploading it onto the system website. The filing office will receive notice that this has occurred. The filing office must then affirmatively accept the document to be considered filed on the PACFile system. Depending on how busy the filing office is, there may be some delay between having the document uploaded onto the system and then accepted as filed. In addition, there may be occasions when a filing might be rejected or sent back to the filer for correction, for example, when it is uploaded to an incorrect docket or the required filing fees have not been paid by a non-indigent defendant.

The Committee noted that even in traditional paper filings, there may be occasions when a document is not accepted immediately for filing for similar reasons. In current practice, this is not a large problem because the document is date-stamped upon presentation at the clerk of courts’ office, problems can be corrected quickly or, if not, the time and date of presentation can be used as the time of filing once any dispute regarding the document has been resolved.

The Committee concluded that a similar process could be applied to electronic filing. The electronic filing system will record the time that a document is submitted as well as the time when the document is accepted by the filing office. Notice may be sent to parties selected by the filer when the document is submitted. Notice also may be served on selected parties when the document has been accepted. Therefore, the definition for “filing,” contained in paragraph (E)(5), states that filing occurs when the acceptance is made but that once accepted, the time and date of filing shall relate back to the time of submission. However, if the legal paper does not meet the requirements for filing, such as not having the correct docket number or not having paid the applicable filing fee, the filing may be rejected in the same manner in which a physical paper filing may be rejected. In this situation, the time and date of original submission still would be recorded in case there is a dispute regarding whether the document should have been accepted upon submission.

Signatures

The Committee generally agreed with the allowance of electronic signatures as being sufficient for the filing of most legal papers. Included in paragraph (F)(2) is a provision for motions and answers that specifically states that an electronic filing containing an electronic signature constitutes the certification required under Rule 576 that the filer “has read the document and to the best of their knowledge, information and belief, there is good ground to support the motion or answer, and that it is not interposed for delay.”

A concern was raised regarding motions filed pursuant to Rule 575(A)(2)(g) that aver facts not of record. These motions must be supported by a sworn affidavit averring the facts presented. Given potential consequences for the fraudulent filing of such documents, the Committee concluded that the best way for them to be handled would be by requiring the physical document to be prepared and signed and then scanned into the system for filing. The provision was included in paragraph (F)(3) and is intended to apply only to the motions filed pursuant to Rule 575(A)(2)(g).

Service

Paragraph (H) describes how service of electronically filed documents is achieved. The PACFile system provides notice to other parties to a case both when a document is submitted to the system and when the document is accepted. The document will be visible to the other parties to the case upon submission. Since the time of filing of a document, once accepted, will be from the time and date of submission, the notice that the document has been submitted will constitute service as required under Rules 114(B) and 576(B). Those parties or attorneys who are not participating in the system would be served in the traditional manner pursuant to Rules 114 and 576.

Other Rule Changes

Finally, several correlative changes have been made to other criminal rules. Rule 113 (Criminal Case File and Docket Entries) has been amended to permit a “paperless” case file in those counties that permit electronic filing. Additionally, Rule 114 (Orders and Court Notices: Filing; Service; and Docket Entries) has been amended to recognize electronic service of court orders and notices for those parties who are participating in the electronic filing system. Rule 576 (Filing and Service by Parties) recognizes electronic filing pursuant to Rule 576.1.

[Pa.B. Doc. No. 18-211. Filed for public inspection February 9, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BRADFORD COUNTY

Local Rules of Judicial Administration; No. 20161R0074

Order

And Now, this 25th day of January, 2018, it is hereby *Ordered* and *Decreed* that Bradford County Court of Common Pleas amends Local Rule of Judicial Administration, Rule 4008(A) governing costs of transcripts for the 42nd Judicial District to read as set forth hereafter and shall be effective thirty (30) days after publication.

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

- 1) File one (1) copy of the local rules with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
- 2) Forward two (2) paper copies and one (1) electronic copy in a Microsoft Word format to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- 3) Publish the local rules on the court’s website after publication in the *Pennsylvania Bulletin*.
- 4) Forward one (1) paper copy and/or (1) electronic copy in a Microsoft Word format for the publication *Bradford County Law Journal*.
- 5) File one copy of the local rules in the appropriate filing offices for public inspection and copying.

By the Court

MAUREEN T. BEIRNE,
President Judge

LOCAL RULES OF JUDICIAL ADMINISTRATION

Rule 4008 Transcript Costs is amended as follows:

(A) *Costs payable:*

(1) *Electronic Format.*

(a) The costs payable by the initial ordering party other than the Commonwealth, County or Court, for a transcript delivered via electronic format shall be \$2.50 per page.

(b) The costs payable by the initial ordering party who is the Commonwealth, County or Court for a transcript delivered via electronic format shall be \$2.00 per page.

(2) *Paper Format.*

(a) The costs payable by the initial ordering party other than the Commonwealth, County or Court for a transcript delivered via paper format shall be \$2.75 per page. This includes the \$0.25 per page surcharge pursuant to Pa.R.Jud.Ad. Rule 4008(A)(2) for paper format.

(b) The costs payable by the initial ordering party who is the Commonwealth, County or Court for a transcript delivered via paper format shall be \$2.25 per page. This includes the \$0.25 per page surcharge pursuant to Pa.R.Jud.Ad. Rule 4008(A)(2) for paper format.

[Pa.B. Doc. No. 18-212. Filed for public inspection February 9, 2018, 9:00 a.m.]

Title 255—LOCAL COURT RULES

LEHIGH COUNTY

Rule 205.4 Authorizing an E-Filing Program for Civil Cases; No. 2018-J-20

Administrative Order

And Now, this 24th day of January 2018;

It Is Hereby Ordered that Lehigh County Local Rule 205.4, Electronic Filing of Legal Documents be and is hereby rescinded effective March 19, 2018 and that the following Lehigh County Local Rule authorizing a mandatory E-Filing Program for Civil Cases be and the same is hereby *Adopted*, effective March 19, 2018;

It Is Further Ordered That the Court Administrator of Lehigh County shall file: one (1) certified copy of this Order and Lehigh County Local Rule of Civil Procedure 205.4 with the Administrative Office of Pennsylvania Courts; and two (2) certified copies with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin* at least 30 days prior to the effective date of the local rule. This Local Rule shall also be published on the Court’s website and incorporated into the complete set of Lehigh County Local Rules.

By the Court

EDWARD D. REIBMAN,
President Judge

Rule 205.4. Electronic Filing of Legal Documents Filed in the Clerk of Judicial Records—Civil Division.

(a)(1) *Authorization for Electronic Filing of Civil Legal Papers*

(i) In accordance with Pa.R.C.P. No. 239.9, the Lehigh County Court of Common Pleas mandates the electronic filing of legal papers and the electronic service of such

papers effective March 19, 2018, as specifically defined within this rule. The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings regardless of the method of filing. Electronic filing and service shall be governed by this rule.

(ii) In the context of this rule, “legal papers” which shall be filed electronically shall be in all civil cases, but not including family court (i.e., custody, divorce, Domestic Relations, and Protection from Abuse) or Orphans’ Court matters.

(iii) All registered participants are eligible to file the legal papers as indicated in paragraph (a)(1)(ii) above.

Comment

The primary intent of this rule is to facilitate the filing of all legal papers that are expressly permitted under this subsection.

(b)(1) *Authorized Electronic Format of Legal Papers Electronically Filed.* All legal papers shall be filed electronically in Portable Document Format (PDF). Any legal paper or exhibit submitted in hard copy/paper format shall incur an administrative fee of \$1.00 per page for the Clerk of Judicial Records—Civil Division to convert the legal paper or exhibit to a Portable Document Format (PDF) and the Clerk of Judicial Records—Civil Division shall return the hard copy legal paper or exhibit to the filing party for retention as required by Pa.R.C.P. No. 205.4(b)(4).

(c)(1) A legal paper filed electronically shall be deemed the original document.

(c)(2) *Website—Access to the Website*

(i) *Website.* All legal papers shall be filed electronically through the Clerk of Judicial Records—Civil Division’s Electronic Filing System “Odyssey File and Serve” (OFS) which shall be accessible through the Lehigh County Website, www.lehighcounty.org.

(ii) *Access to the Website.* To obtain access to the Electronic Filing System, counsel and any unrepresented party must apply for and receive a User Name and Password.

(d)(1) *Payment of Filing Fees*

(i) The Clerk of Judicial Records—Civil Division will accept electronic payment of all filing fees with the following credit and debit cards: Discover, MasterCard, American Express, Visa and eCheck.

(ii) The credit or debit card will be charged with a convenience fee dictated by the credit card vendor.

(iii) The Clerk of Judicial Records—Civil Division will accept payment of electronic filing fees in cash, checks, credit or debit card when filing in person at the counter in the Clerk of Judicial Records—Civil Division.

(e) *Reserved*

(f) *Local Procedures*

As authorized by Pa.R.C.P. No. 205.4(f), the following local administrative procedures are adopted:

(i) As provided by Pa.R.C.P. No. 1023.1, the required signature on an electronic filing of legal papers is established by submission of a filing and the application of a digitized signature or the name of the filer proceeded by /s/ accompanied by the attorney’s printed name or a scanned document with an original signature. Verification will be achieved through the use of an email address and a password obtained from the OFS System. The OFS

system will verify the user ID against the state ID number. Verification for parties other than attorneys will be verified through the user ID.

(ii) The legal paper must include a signature block, and the name of the filer under whose user name and password the legal filing is submitted.

(iii) The Electronic Filing Application (OFS) shall provide to the filer, using the email address registered by the filer, a Courtesy Email acknowledging that the filing was received. An Official Notification will be displayed in the Electronic Filing System, which includes the time and date, as a pending filing awaiting approval by the Clerk of Judicial Records—Civil Division. Within six (6) business hours of the receipt of the legal paper, the Clerk of Judicial Records—Civil Division shall provide the filer with notification through the Electronic Filing System that the legal paper has been either accepted or rejected.

(iv) If a legal paper is accepted, it shall be deemed to have been filed as of the date and time it was received by the Electronic Filing System; however, if a legal paper is submitted without the requisite filing fee, the legal paper shall be deemed to have been accepted for filing as of the date payment is received pursuant to 42 P.S. Section 21073(b), “The Clerk of Judicial Records—Civil Division shall not be required to enter on the docket any suit or action or order of court or to enter any judgment thereon and perform any services whatsoever for any person, political subdivision or the Commonwealth until the requisite fee is paid.”

Note: As required by Pa.R.C.P. No. 205.4(c)(1) access to the Electronic Filing System shall be available at all times, except for routine maintenance; however, legal documents can only be reviewed by the staff of the Clerk of Judicial Records—Civil Division during normal office hours. Therefore, filers are cautioned to file required legal papers well in advance of any filing deadlines to enable timely correction and re-submission in the event a legal paper is not acceptable for filing.

(v) Pa.R.C.P. No. 204.1(3) requires that the first sheet of all pleadings, motions and other legal filings shall contain a 3-inch space from the top of the paper. This space shall be reserved solely for the use of the Clerk of Judicial Records—Civil Division for the electronic date and time stamp, and other official use.

(vi) As required by Pa.R.C.P. 205.5, the filer shall include the statewide cover sheet with the initial filing.

(vii) If a legal document is refused for filing, the Clerk of Judicial Records—Civil Division shall specify a reason. Subject to the Rule 205.4(e)(3), a legal paper refused for filing shall be deemed as not having been filed.

(viii) Neither the Court nor the Clerk of Judicial Records—Civil Division shall be required to maintain a hard copy of any legal paper, notice, or order filed or maintained under this rule.

(g) *Service of Legal Papers*

(i) Once an electronic filing has been accepted by the Clerk of Judicial Records—Civil Division, it shall be the responsibility of the filing party to provide to the Sheriff of Lehigh County, the proper service fee and the documents for Original Service and Writs.

[Pa.B. Doc. No. 18-213. Filed for public inspection February 9, 2018, 9:00 a.m.]

COMMONWEALTH COURT**Request for Bids**

The Commonwealth Court is soliciting bids for audio visual design and installation services. This project includes system design, equipment installation and training for three courtrooms, two conference rooms and a control center in the Pennsylvania Judicial Center in Harrisburg, PA. A prebid tour is scheduled for February 22, 2018, at 9:30 a.m. in the Pennsylvania Judicial Center, Courtroom 3001, 601 Commonwealth Avenue, Harrisburg, PA 17120. Bid documents may be obtained from Kurt Baldwin, Commonwealth Court, P.O. Box 69185, Harrisburg, PA 17106-9185, (717) 255-1623, Kurt.Baldwin@pacourts.us. Bids are due no later than April 6, 2018, at 12 p.m.

GARY L. HOLLINGER,
Executive Administrator

[Pa.B. Doc. No. 18-214. Filed for public inspection February 9, 2018, 9:00 a.m.]

RULES AND REGULATIONS

Title 25—ENVIRONMENTAL PROTECTION

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 93]

Stream Redesignations (Sobers Run, et al.)

The Environmental Quality Board (Board) amends §§ 93.9c, 93.9f and 93.9i (relating to Drainage List C; Drainage List F; and Drainage List I) to read as set forth in Annex A. This final-form rulemaking fulfills the Commonwealth's obligations under State and Federal laws to review and revise, as necessary, water quality standards that are protective of surface waters.

This final-form rulemaking is given under Board order at its meeting on August 15, 2017.

A. Effective Date

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

B. Contact Persons

For further information, contact Thomas Barron, Bureau of Clean Water, 11th Floor, Rachel Carson State Office Building, P.O. Box 8774, 400 Market Street, Harrisburg, PA 17105-8774, (717) 787-9637; or Michelle Moses, Assistant Counsel, Bureau of Regulatory Counsel, 9th Floor, Rachel Carson State Office Building, P.O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the Pennsylvania AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This final-form rulemaking is available on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board (EQB)").

C. Statutory Authority

This final-form rulemaking is being made under the authority of sections 5(b)(1) and 402 of The Clean Streams Law (35 P.S. §§ 691.5(b)(1) and 691.402), which authorize the Board to develop and adopt rules and regulations to implement The Clean Streams Law (35 P.S. §§ 691.1—691.1001), and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), which grants to the Board the power and duty to formulate, adopt and promulgate rules and regulations for the proper performance of the work of the Department. In addition, section 303 of the Federal Clean Water Act (33 U.S.C.A. § 1313) sets forth requirements for water quality standards.

D. Background and Purpose

Water quality standards are in-stream water quality goals that are implemented by imposing specific regulatory requirements (such as treatment requirements, effluent limits and best management practices (BMP)) on individual sources of pollution. Section 303(c)(1) of the Federal Clean Water Act requires states to periodically review and revise, as necessary, water quality standards. Water quality standards include designated uses, numeric and narrative criteria, and antidegradation requirements for surface waters. This final-form rulemaking is the result of stream evaluations conducted by the Department.

The Department may identify candidate streams for redesignation of uses during routine waterbody investiga-

tions. Requests for consideration may also be initiated by other agencies. Members of the public may submit a rulemaking petition to the Board.

The Department considers candidates for High Quality (HQ) or Exceptional Value (EV) Waters and all other designations in its ongoing review of water quality standards. In general, HQ and EV waters must be maintained at their existing quality, and permitted activities shall ensure the protection of designated and existing uses. The purpose of this final-form rulemaking is to update the designated uses so that the surface waters of the Commonwealth are afforded the appropriate level of protection.

Existing use protection is provided when the Department determines, based on its evaluation of the best available scientific information, that a surface water attains water uses identified in § 93.3 (relating to protected water uses). Examples of water uses protected include Cold Water Fishes (CWF), Warm Water Fishes (WWF), HQ and EV. A final existing use determination is made on a surface water at the time the Department takes a permit or approval action on a request to conduct an activity that may impact surface water. If the determination demonstrates that the existing use is different than the designated use, the water body will immediately receive the best protection identified by either the attained uses or the designated uses. A stream will then be "redesignated" through the rulemaking process to match the existing uses with the designated uses. For example, if the designated use of a stream is listed as protecting WWF but the redesignation evaluation demonstrates that the water attains the use of CWF, the stream would immediately be protected for CWF prior to a rulemaking. After the Department determines the water uses attained by a surface water, the Department will recommend to the Board that the existing uses be adopted as "designated" uses, through rulemaking, and be added to the list of uses identified in § 93.9 (relating to designated water uses and water quality criteria).

The four streams in this final-form rulemaking that are candidates for redesignation to EV were all evaluated in response to petitions as follows:

<i>Stream</i>	<i>County</i>	<i>Petitioner</i>
Swiftwater Creek	Monroe	Brodhead Creek Watershed Association
Sobers Run	Northampton	Bushkill Township
Mill Creek	Berks and Chester	Delaware Riverkeeper Network
Silver Creek	Susquehanna	Silver Lake Association

This final-form rulemaking is the result of stream evaluations conducted by the Department in response to the four petitions that were submitted. The physical, chemical and biological characteristics, and other information on these waterbodies were evaluated to determine the appropriateness of the current and requested designations using applicable regulatory criteria and definitions. In reviewing whether waterbodies qualify as HQ or EV waters, the Department considers the criteria in § 93.4b (relating to qualifying as High Quality or Exceptional Value Waters). Based upon the data and information collected on these waterbodies, the Department recommended the Board adopt this final-form rulemaking as described in this preamble and as set forth in Annex A.

E. Summary of Final-Form Rulemaking and Changes from Proposed to Final-Form Rulemaking

Data collection and rulemaking development

Prior to the development of the proposed rulemaking, the Department published notice in the *Pennsylvania Bulletin* and on its web site that an evaluation was to be conducted on all or portions of the subject streams to determine the proper Aquatic Life Use or Special Protection designations for the Commonwealth's Water Quality Standards. As a part of the notice, the Department asked the public to submit technical data concerning the water quality, instream habitat or biological conditions of these stream sections for consideration in the assessment. The Department also notified municipalities in the watershed study areas by letter of the stream evaluations and asked them to provide any readily available data.

Data was not received for Swiftwater Creek. The Department received comments regarding Swiftwater Creek including a notice from Tobyhanna Township stating that they did not support the petition to upgrade Swiftwater Creek. The Department did receive data from Bushkill Township to augment the Department's assessment of Sobers Run. Hanover Engineering Associates submitted the latest Coldwater Conservation Plan (2009) completed for the Upper Bushkill Creek Watershed and the Northampton County Conservation District submitted water chemistry results collected by the Retired Senior Volunteer Program. This data was used as documentation and support for the Sobers Run special protection assessment. The Delaware Riverkeeper Network provided the Department with water quality data for Mill Creek including a copy of the 1994 Fish and Boat Commission Report, information pertaining to the Fish and Boat Commission "Natural Trout Reproduction Layer" and information pertaining to local angler observations. This data was used as supporting documentation of the water quality of the Mill Creek basin in conjunction with the findings of the Department's survey. The Department also received two supportive responses from local citizens regarding the redesignation of Mill Creek. The Department did not receive data regarding Silver Creek. The Department did receive one letter of support for the redesignation of Silver Creek.

The Department utilized submitted data and conducted its own evaluations of the subject streams to create draft stream evaluation reports and notified the affected municipalities, county planning commissions, county conservation districts, other State agencies and petitioners of the availability of a draft evaluation report for review and comment. The draft stream evaluation reports were also made available on the Department's web site for a minimum 30-day public review and comment period.

Comments were not received in response to the notice for Swiftwater Creek or Silver Creek. Nine commentators offered supportive comments for the Department's recommendation to redesignate Sobers Run. During the initial comment period, three stakeholders offered comments pertaining to the Mill Creek report, one in support and two in opposition. In addition, the Delaware Riverkeeper Network requested an extension of the original 30-day public comment period. In response, the Department provided a 30-day extension to the comment period for the Mill Creek stream report. The Delaware Riverkeeper Network provided additional comments in support of the Department's EV recommendation but stated opposition to the recommendation for the unnamed tributary to Mill Creek at 40°14'33.8"N; 75°43'49.6"W to remain unchanged.

The Department considered all data and comments received in response to these notifications and public comment periods in the determination of the Department's recommendations to the Board.

Copies of the Department's stream evaluation reports for these waterbodies are available on the Department's web site or from the contacts whose addresses and telephone numbers are listed in Section B of this preamble. The data and information collected on these waterbodies support this final-form rulemaking.

Rulemaking summary

This final-form rulemaking amends two stream names as they appear in § 93.9c. The United States Geologic Survey maintains the National Hydrography Dataset (NHD) Flowline. The stream nomenclature and the fluvial geomorphology given in the *Pennsylvania Code* are governed by the NHD Flowline. These corrections are included to maintain consistency between the *Pennsylvania Code* and the NHD Flowline. Saw Kill Creek and Raymond Kill Creek are corrected to Sawkill Creek and Raymondskill Creek, respectively, to be consistent with the NHD Flowline.

This final-form rulemaking also converts all references to river mile indexes (RMI) in Annex A to a set of coordinates (latitude and longitude), with the eventual goal to be the conversion of all RMIs in §§ 93.9a—93.9z to the coordinate system. Department staff recognizes the RMI system to be antiquated. When determining the RMI, it is possible to derive differing RMIs depending on the technique used. It is easy to consistently determine the latitude and longitude along any point of a stream or river while in the field with a hand-held GPS unit or using a geographical information system (GIS) software application (the Department standard projected coordinate system is PA_Albers_Equal_Area_Conic; the geographic coordinate system is North American Datum 1983 or NAD 1983). It is very difficult to determine the RMI while in the field. Referring to the latitude and longitude will make it much easier for the regulated community and others to apply the zone description in § 93.9 to a particular project or activity, and determine whether the project discharges within or the activity is otherwise related to the referenced stream zone.

Changes from proposed to final-form rulemaking

This final-form rulemaking includes no changes to the proposed rulemaking.

F. Summary of Major Comments and Responses

The Board approved the Sobers Run, et al., stream redesignation proposed rulemaking at its April 19, 2016, meeting. The proposed rulemaking was published at 46 Pa.B. 2970 (June 11, 2016), with a 45-day public comment period that closed on July 25, 2016.

Five commentators submitted comments. Two commentators offered support of the entire proposed rulemaking, one commended the Department in its efforts and one commentator offered support for the redesignation of Mill Creek. All public comments were supportive of the proposed rulemaking. The Independent Regulatory Review Commission (IRRC) submitted comments requesting amendments to the Regulatory Analysis Form for this final-form rulemaking. The Regulatory Analysis Form was amended accordingly and is included as part of this

final-form rulemaking package. A more detailed summary of the comments submitted to the Board and the Department's responses to those comments are available in the comment and response document that accompanies this final-form rulemaking package.

G. *Benefits, Costs and Compliance*

Benefits

Overall, the Commonwealth, its citizens and natural resources will benefit from this final-form rulemaking because it provides the appropriate level of protection to preserve the integrity of existing and designated uses of surface waters in this Commonwealth. Protecting water quality provides economic value to present and future generations in the form of a clean water supply for human consumption, wildlife, livestock, industrial use and irrigation; recreational opportunities such as fishing (also for consumption), water contact sports and boating; and aquatic life protection. It is important to realize these benefits and to ensure opportunities and activities continue in a manner that is environmentally, socially and economically sound. Maintenance of water quality ensures its future availability for all uses.

The Department identified three public water supply facilities with raw water intakes that are no further downstream than 17.0 stream miles of the redesignated stream sections in this final-form rulemaking. These 3 public water suppliers, which serve over 103,000 citizens, will benefit from this final-form rulemaking because their raw source water will be afforded a higher level of protection. This is an economic benefit because the source water treatment costs for the drinking water will be less costly to customers if less treatment is needed due to the maintenance of water quality in EV waters.

Small businesses in the outdoor recreation industry will be positively affected by this final-form rulemaking. The maintenance and protection of the water quality will ensure the long-term availability of these outdoor recreation opportunities in pristine waters.

Compliance costs

This final-form rulemaking may impose additional compliance costs on the regulated community. This final-form rulemaking is necessary to improve total pollution control. The expenditures necessary to meet new compliance requirements may exceed that which is required under existing regulations.

The redesignations will be implemented through the Department's permit and approval actions. Persons who presently are operating under a general permit will need to apply for an individual permit upon permit expiration. Persons expanding a discharge or adding a new discharge point to a stream could be adversely affected if they need to provide a higher level of treatment or BMPs to meet the designated and existing uses of the stream. For example, these increased costs may take the form of higher engineering, construction or operating cost for point source discharges. Treatment costs and BMPs are site-specific and depend upon the size of the discharge in relation to the size of the stream and many other factors. It is therefore not possible to predict the actual change in costs. Economic impacts would primarily involve the potential for higher treatment costs for new or expanded discharges to streams that are redesignated. The initial costs resulting from the installation of technologically advanced wastewater treatment processes and BMPs may be offset by potential savings from an increased value of improved water quality through more cost-effective and efficient treatment over time.

Ten National Pollutant Discharge Elimination System (NPDES) permitted facilities are located within the portions of the streams that are redesignated in this final-form rulemaking. The types of NPDES discharges identified include industrial stormwater, sewage and pesticides. Discharges in existence at the time of the stream surveys have been factored into the evaluations of the existing water quality of the four streams and the subsequent recommendations for redesignation to EV waters. Since the presence of these discharge activities did not preclude the attainment of EV status, no changes to the discharge treatment technology are necessary as long as the discharge characteristics (both quality and quantity) remain the same. Thus, redesignation to EV does not automatically impose any additional special technology requirements on the ten NPDES permitted entities.

Any person, business, small business or organization proposing a new, additional or increased point source discharge would need to satisfy the requirements in § 93.4c(b)(1) (relating to implementation of antidegradation requirements). Any new, additional or increased point source discharge to special protection waters must evaluate nondischarge alternatives and use an alternative that is environmentally sound and cost-effective when compared with the cost of the proposed discharge. If an alternative is not available, the discharge must use a nondegrading treatment technology that is designed to protect the existing water quality. The permit applicant shall demonstrate in the permit application that its new or expanded activities will not lower the existing water quality of special protection streams. Point source discharge activities to special protection streams do not qualify for general permits issued under Chapter 92a (relating to National Pollutant Discharge Elimination System permitting, monitoring and compliance). Therefore, these new discharges will require an individual permit. Where onlot sewage systems are planned, the Department's sewage facilities planning and permitting process, as implemented by the Department under Chapters 71—73 (relating to administration of sewage facilities planning program; administration of sewage facilities permitting program; and standards for onlot sewage treatment facilities), is protective of water quality.

Other permitted activities and approvals, such as those required under Chapter 102 (relating to erosion and sediment control) for erosion and sediment control during construction activities and under Chapter 105 (relating to dam safety and waterway management) in water obstructions and encroachments, must utilize antidegradation BMPs to satisfy the requirements in § 93.4c. These sets of BMPs may be designed to provide a higher degree of protection than those utilized in other waters.

The Department cannot accurately estimate who will be affected by these stream redesignations because: 1) persons and businesses will not be impacted until a future activity requiring a new or modified permit or approval action is proposed; 2) effluent discharges and receiving stream characteristics are unique; and 3) generic technology and cost equations are not available for purposes of comparing the costs or savings, or both, of a future permitted activity.

Compliance assistance plan

This final-form rulemaking has been developed as part of an established program that has been implemented by the Department since the early 1980s. This final-form rulemaking is consistent with and based on existing Department regulations. This final-form rulemaking extends additional protection to selected waterbodies that

exhibit exceptional water quality and are consistent with antidegradation requirements established by the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1388) and The Clean Streams Law. All surface waters in this Commonwealth are afforded a minimum level of protection through compliance with the water quality standards, which prevent pollution and protect existing water uses.

The redesignations in this final-form rulemaking will be implemented through the Department's permit and approval actions. For example, the NPDES permitting program bases effluent limitations on the uses of a stream. These permit conditions are established to assure water quality is protected and maintained. New and expanded dischargers will receive permit conditions with water quality based effluent limitations that are required to provide effluent treatment according to the water quality standards.

Paperwork requirements

This final-form rulemaking will not impose any new paperwork requirements on persons engaged in regulated activities under existing permits or approvals from the Department. This final-form rulemaking is based on existing Department regulations and simply mirror the existing use protection that is already in place for these streams. Some paperwork may be necessary for new or expanding dischargers to streams upgraded to HQ or EV. For example, NPDES general permits are not available for discharges to these streams. Thus, an individual permit, and its associated paperwork, would be required. Additionally, paperwork associated with evaluating nondischarge alternatives and nondegrading discharges is required for all new, additional or increased discharges to HQ or EV Waters.

H. Pollution Prevention

The Federal Pollution Prevention Act of 1990 (42 U.S.C.A. §§ 13101—13109) established a National policy that promotes pollution prevention as the preferred means for achieving state environmental protection goals. The Department encourages pollution prevention, which is the reduction or elimination of pollution at its source, through the substitution of environmentally-friendly materials, more efficient use of raw materials and the incorporation of energy efficiency strategies. Pollution prevention practices can provide greater environmental protection with greater efficiency because they can result in significant cost savings to facilities that permanently achieve or move beyond compliance. This final-form rulemaking has incorporated the following pollution prevention incentives.

The water quality standards and antidegradation program are major pollution prevention tools because the objective is to prevent degradation by maintaining and protecting existing water quality and existing uses. Although the antidegradation program does not prohibit new or expanded wastewater discharges, nondischarge alternatives must be evaluated and are required when environmentally sound and cost effective. Nondischarge alternatives, when implemented, remove impacts to surface water and may reduce the overall level of pollution to the environment. In addition, if environmentally sound and cost-effective alternatives are not available, discharges must be nondegrading in most circumstances.

I. Sunset Review

The Board is not establishing a sunset date for these regulations because they are needed for the Department to carry out its statutory authority. The Department will

continue to closely monitor these regulations for their effectiveness and recommend updates to the Board as necessary.

J. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on May 26, 2016, the Department submitted a copy of the notice of proposed rulemaking, published at 46 Pa.B. 2970, to IRRC and the Chairpersons of the House and Senate Environmental Resources and Energy Committees for review and comment.

Under section 5(c) of the Regulatory Review Act, the Department submitted to IRRC and the House and Senate Committees copies of comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Department has considered all comments from IRRC, the House and Senate Committees, and the public.

The Chairperson of the House Committee notified IRRC that the House Committee intended to review the final-form rulemaking. The Board did not promulgate this final-form rulemaking for 14 days after the House Committee received IRRC's approval order. Since the House Committee did not take action during the 14-day period, the Board proceeded to promulgate this final-form rulemaking.

Under section 5.1(j.2) of the Regulatory Review Act (71 P.S. § 745.5a(j.2)), on November 15, 2017, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on November 16, 2017, and approved the final-form rulemaking.

K. Findings

The Board finds that:

- (1) Public notice of proposed rulemaking was given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.
- (2) A public comment period was provided as required by law, and all comments were considered.
- (3) This final-form rulemaking does not enlarge the purpose of the proposed rulemaking published at 46 Pa.B. 2970.
- (4) This final-form rulemaking is necessary and appropriate for administration and enforcement of the authorizing acts identified in Section C of this preamble.
- (5) This final-form rulemaking does not contain standards or requirements that exceed requirements of the companion Federal regulations.

L. Order

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

- (a) The regulations of the Department, 25 Pa. Code Chapter 93, are amended by amending §§ 93.9c, 93.9f, and 93.9i to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.
- (b) The Chairperson of the Board shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval and review as to legality and form, as required by law.

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

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

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

PATRICK McDONNELL,
Chairperson

(*Editor's Note:* See 47 Pa.B. 7402 (December 2, 2017) for IRRC's approval order.)

Fiscal Note: Fiscal Note 7-535 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE II. WATER RESOURCES

CHAPTER 93. WATER QUALITY STANDARDS

DESIGNATED WATER USES AND WATER QUALITY CRITERIA

§ 93.9c. Drainage List C.

Delaware River Basin in Pennsylvania
Delaware River

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
	* * * *	*		
2—Vandermark Creek	Basin, Deep Brook to Mouth	Pike	HQ-CWF, MF	None
2—Sawkill Creek	Basin, Source to Vantine Brook	Pike	EV, MF	None
3—Vantine Brook	Basin	Pike	HQ-CWF, MF	None
2—Sawkill Creek	Basin, Vantine Brook to Mouth	Pike	EV, MF	None
2—Raymondskill Creek	Basin	Pike	HQ-CWF, MF	None
2—Conashaugh Creek	Basin	Pike	HQ-CWF, MF	None
	* * * *	*		
4—Devils Hole Creek	Basin, South Boundary of State Game Lands No. 221 to Mouth	Monroe	HQ-CWF, MF	None
3—Paradise Creek	Basin, Devils Hole Creek to Forest Hills Run	Monroe	HQ-CWF, MF	None
4—Forest Hills Run	Basin, Source to Swiftwater Creek	Monroe	HQ-CWF, MF	None
5—Swiftwater Creek	Basin, Source to UNT 04960 at 41°5'58.5"N; 75°20'4.8"W	Monroe	EV, MF	None
6—UNT 04960	Basin	Monroe	HQ-CWF, MF	None
5—Swiftwater Creek	UNT 04960 to Mouth	Monroe	HQ-CWF, MF	None
4—Forest Hills Run	Basin, Swiftwater Creek to Mouth	Monroe	HQ-CWF, MF	None
3—Paradise Creek	Basin, Forest Hills Run to Mouth	Monroe	HQ-CWF, MF	None
3—Michael Creek	Basin	Monroe	HQ-CWF, MF	None
	* * * *	*		
2—Mud Run	Basin	Northampton	CWF, MF	None
2—Bushkill Creek	Basin, Source to Sobers Run	Northampton	HQ-CWF, MF	None
3—Sobers Run	Basin	Northampton	EV, MF	None
2—Bushkill Creek	Basin, Sobers Run to Shoeneck Creek	Northampton	HQ-CWF, MF	None
3—Shoeneck Creek	Basin	Northampton	WWF, MF	None
2—Bushkill Creek	Basin, Shoeneck Creek to Mouth	Northampton	HQ-CWF, MF	None

§ 93.9f. Drainage List F.

**Delaware River Basin in Pennsylvania
Schuylkill River**

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
* * * * *				
3—Leaf Creek	Basin	Berks	WWF, MF	None
3—Mill Creek	Basin, Source to UNT at 40°14'33.8"N; 75°43'49.6"W	Berks	EV, MF	None
4—UNT at 40°14'33.8"N; 75°43'49.6"W	Basin	Berks	WWF, MF	None
3—Mill Creek	Basin, UNT at 40°14'33.8"N; 75°43'49.6"W to Mouth	Berks	EV, MF	None
3—UNTs Schuylkill River	Basins (all UNTs along Montgomery County shore), Berks-Chester-Montgomery County Border to Valley Creek	Montgomery	WWF, MF	None
* * * * *				

§ 93.9i. Drainage List I.

**Susquehanna River Basin in Pennsylvania
Susquehanna River**

<i>Stream</i>	<i>Zone</i>	<i>County</i>	<i>Water Uses Protected</i>	<i>Exceptions To Specific Criteria</i>
* * * * *				
2—Unnamed Tributaries to Susquehanna River	Basins (all sections in PA), PA-NY State Border near Great Bend to PA-NY State Border near Milltown	Susquehanna-Bradford	CWF, MF	None
2—Snake Creek	Basin, Source to Silver Creek	Susquehanna	CWF, MF	None
3—Silver Creek	Basin, Source to Laurel Lake Creek	Susquehanna	EV, MF	None
4—Laurel Lake Creek	Basin, Source to McCormick Run	Susquehanna	CWF, MF	None
5—McCormick Run	Basin	Susquehanna	EV, MF	None
4—Laurel Lake Creek	Basin, McCormick Run to Mouth	Susquehanna	CWF, MF	None
3—Silver Creek	Basin, Laurel Lake Creek to Mouth	Susquehanna	EV, MF	None
2—Snake Creek	Basin, Silver Creek to PA-NY State Border (all sections in PA)	Susquehanna	CWF, MF	None
2—Little Snake Creek	Basin (all sections in PA)	Susquehanna	CWF, MF	None
* * * * *				

[Pa.B. Doc. No. 18-215. Filed for public inspection February 9, 2018, 9:00 a.m.]

PROPOSED RULEMAKING

STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

[49 PA. CODE CH. 47]

Licensed Bachelor Social Worker; Fees

The State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board) proposes to amend §§ 47.1, 47.4, 47.11, 47.15, 47.32—47.36a, 47.41, 47.61—47.65 and 47.71, delete § 47.12b (relating to provisional license as a social worker) and add § 47.12e (relating to licensed bachelor social worker) to read as set forth in Annex A.

Effective Date

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

Statutory Authority

Section 6 of the Social Workers, Marriage and Family Therapists and Professional Counselors Act (act) (63 P.S. § 1906) authorizes the Board to: pass upon the qualifications and fitness of applicants for licenses; adopt and revise rules and regulations requiring applicants to pass examinations regarding their qualifications as a prerequisite to the issuance of a license; and adopt and revise rules and regulations as may be necessary to carry into effect the act. Section 18(c) of the act (63 P.S. § 1918(c)) provides that all fees required under the act shall be fixed by the Board by regulation. Section 9 of the act of October 22, 2014 (P.L. 2884, No. 179) (Act 179) directs the Board to promulgate regulations to carry out Act 179, which provided for the licensure of bachelor social workers.

Background and Need for this Proposed Rulemaking

Act 179 requires the Board to promulgate regulations for the licensure of bachelor social workers. At the Board's public meeting on December 9, 2014, the Board discussed Act 179 and began the work of drafting regulations. At its next meeting on February 10, 2015, the Board reviewed a draft of the proposal and directed that an exposure draft of the proposal be sent out to interested parties and stakeholders inviting them to comment and notifying them that the proposal and comments would be discussed at the Board's April 14, 2015, meeting. The only comment received was from the Pennsylvania Chapter of the National Association of Social Workers (NASW-PA), who commented on the proposed fees and proposed continuing education requirements for licensed bachelor social workers. NASW-PA objected to licensed bachelor social workers paying the same application and renewal fees as the master's level licensees because of the difference in the educational requirements and earning potential of licensed bachelor social workers. NASW-PA also objected to bachelor social workers being required to complete the same number of hours of continuing education as master's level trained licensees. Subsequently, NASW-PA submitted information to the Board on May 4, 2015, indicating that most of the 27 states that license bachelor level and master's level social workers require equal amounts of continuing education. Only 4 of the 27 states require less continuing education for bachelor level social work-

ers. For that reason, the Board elected to keep the continuing education requirements equal for all licensees. The Board believes that NASW-PA no longer objects to this continuing education requirement for licensed bachelor social workers.

As a result of the comments regarding fees, the Board undertook a comprehensive review of its fee structure. While the Board determined that the \$95 biennial renewal fee should remain the same for all licensees, the \$25 application fee for social workers and the \$45 application fee for clinical social workers, marriage and family therapists, and professional counselors and the \$45 fee for the approval of continuing education providers, programs and activities needed to be addressed. The application fee for social workers had not been increased since 2002, when it was increased from the original application fee of \$15 established in 1990 to \$25 at the same time the \$45 fee for applications for licensure as a clinical social worker, marriage and family therapist, and professional counselor was originally established. The \$45 fee for the approval of continuing education providers, programs and activities had not been updated since 2006. Representatives of the Revenue Office of the Bureau of Professional and Occupational Affairs (BPOA) met with Board staff to conduct a study of the costs associated with processing the various applications taking into consideration the complexity of the application, the time it takes to review the application and the classification of the employees tasked with review. Based on this study a revised proposal was presented to the Board at its meeting on July 14, 2015. The following proposed fees were presented to the Board for licensure applications: \$75 for licensed bachelor social workers and licensed social workers; \$90 for licensed clinical social workers; and \$100 for licensed marriage and family therapists, and licensed professional counselors. Revised fees for the approval of continuing education providers, programs and activities would be increased from \$45 to \$65.

Because the proposal had been expanded to address fees beyond those necessary to implement Act 179 pertaining to licensed bachelor social workers, the Board determined at its July 14, 2015, meeting to solicit additional input from the regulated community. An exposure draft of the revised proposal was again sent out to interested parties and stakeholders on August 27, 2015, requesting comment for the Board's consideration at its October 13, 2015, meeting. NASW-PA commented in opposition to the increased application fees for licensed bachelor social workers, licensed social workers and licensed clinical social workers, noting that other BPOA boards charge lower application fees to license professionals who have higher average salaries than social workers. In response, the Board notes that it is required by law to set its fees to cover its own costs of operations, without regard to what other boards may charge for licensing other professions. The Board believes a more relevant comparison would be with what social workers are required to pay to apply for licensure in other states. Therefore, the Board reviewed the relevant application fees for all three categories of social worker license (bachelor level or entry level licenses, master's level social workers and clinical social workers) established by other states, which range from \$40 to \$325, and finds the proposed fees to be reasonable. In addition, application fees are generally set at a level that is intended to cover the costs of processing the application for the applicant.

Without the increases that are being proposed, the general licensee population is essentially underwriting the excess costs for applicants that may or may not qualify for or ever obtain licensure.

NASW-PA also objected to the \$75 application fee for licensed bachelor social workers because of the negative impact the fee would have on the number of social workers applying for licensure. NASW-PA warned that the unintended consequence would be an increase in unprofessional, unethical and illegal behavior by unlicensed social workers who would fall outside of the Board's authority to discipline. In addition to the comments from NASW-PA, the Board received comments from social work educators from Shippensburg University and Kutztown University who objected to the \$75 application fee for licensed bachelor social workers on the grounds that it would be a deterrent to entry level social workers in applying for licensure. However, as noted previously, the Board has looked at the application fees for licensed bachelor social workers in the states that license entry level social workers which range from a low of \$40 (Michigan) to a high of \$250 (Arizona) with an average of approximately \$100 and finds the \$75 fee to be reasonable. Because it is comparable to the application fees in other states, the Board does not believe it would put Pennsylvania at a competitive disadvantage or otherwise dissuade graduates of social work and social welfare education programs and those individuals currently working as bachelor level social workers from applying for licensure. The Board also notes that some states require both an application fee and an initial licensure fee. For example, Arizona requires all applicants to pay a \$250 application fee, a license issuance fee of \$100 (for nonindependent level licenses, including licensed bachelor social workers) and \$250 for independent level licenses (such as licensed clinical social workers, licensed marriage and family therapists, and licensed professional counselors). Maryland requires applicants for a bachelor social worker license to pay an application fee of \$100 and an initial licensure fee of \$75. The Board does not require a separate fee for initial licensure, as it is included in the application fee. See § 47.4 (relating to licensure fees) which provide for the "application fee for licensure and original license issuance as a" social worker, marriage and family therapist or professional counselor. Therefore, the Board considers the proposed fees to be reasonable and the least burdensome alternative for licensees, given the operational costs of processing the applications. For that reason, no changes have been made to the proposed fees.

There were no comments regarding the increased fees for continuing education approval or any of the other substantive provisions in the proposal. Thereafter, at a regularly scheduled public meeting, the Board voted to proceed with the proposal as drafted.

Description of Proposed Amendments

The Board proposes to amend § 47.1 (relating to definitions) to add a definition of "licensed bachelor social worker" and delete the definition of "provisional licensed social worker" as that term was deleted by Act 179. The Board is also proposing amendments to the definition of "professional relationship" to include licensed bachelor social workers and to delete the reference to a "therapeutic" relationship because licensed bachelor social workers are not authorized to engage in therapy or clinical practice.

The Board proposes to amend § 47.4 to establish the application fee (\$75) and biennial renewal fee (\$95) for licensed bachelor social workers. In addition, as previ-

ously discussed, the Board proposes to increase the application fee for licensed social workers from \$25 to \$75 to cover the actual costs of processing an application. This fee has not been increased since it was originally adopted in 1989. The Board also proposes to increase the application fee for licensure as a clinical social worker from \$45 to \$90 and the application fee for licensure as a marriage and family therapist or professional counselor from \$45 to \$100. These fees have not been increased since they were originally adopted in 2000. The Board is also proposing to delete the fees associated with provisional licenses because Act 179 eliminated that category of license. The Board is also proposing to delete subsection (b) as it applied to fees for licenses that were issued prior to June 24, 1989, and the deadline for payment of those fees has passed. Therefore, subsection (b) is outdated and obsolete.

The Board proposes to amend § 47.11 (relating to licensure examination) to clarify that the examination required as a prerequisite to licensure as a licensed bachelor social worker is the Association of Social Work Boards' (ASWB) bachelor's level examination. Act 179 deleted the provisional license which was previously granted to individuals who passed the ASWB bachelor's level examination. For that reason, the Board is also proposing to delete § 47.12b. In its place, the Board is proposing to add § 47.12e to set forth the requirements to be issued a license as a bachelor social worker.

The Board proposes to amend §§ 47.15, 47.32, 47.41, 47.61—47.65 and 47.71 to add licensed bachelor social workers to the provisions having to do with biennial renewal, continuing education, disciplinary proceedings, sexual misconduct, the impaired professional program, and the code of ethical practice and professional conduct. These proposed amendments serve to hold licensed bachelor social workers to the same standards as all other licensees of the Board.

The Board also proposes various amendments regarding continuing education. The Board proposes to amend § 47.33 (relating to acceptable continuing education courses and programs) to clarify that for renewal of a social worker's or clinical social worker's license, continuing education courses and programs must be appropriate for the master's level practitioner and pertain to the practice of social work or clinical social work. Section 47.33 is also proposed to be amended to state that for renewal of a bachelor social worker's license, continuing education courses and programs must pertain to the practice of bachelor social work (as defined in section 3 of the act (63 P.S. § 1903)) or contribute to the professional development of the licensed bachelor social worker. This last provision is proposed to be added to allow licensed bachelor social workers the ability to participate in more complex continuing education courses to prepare them for advancement toward a master's level license, if they choose to do so. The Board proposes to add a caveat that this should not be construed as expanding the scope of practice of a licensed bachelor social worker beyond that provided for in the act and this chapter.

The Board proposes to amend § 47.34 (relating to registration of continuing education providers who offer one course or program) to increase the application fee from \$45 to \$65 to cover the current costs of processing these applications. In addition, the Board proposes to amend § 47.35 (relating to standards for courses and programs) to only require providers offering courses targeted to licensed social workers and licensed clinical social workers to provide evidence that the course is

geared toward the master's level practitioner, which allows for bachelor level continuing education courses. The Board proposes to amend this section to permit continuing education courses of at least 1 clock hour, as opposed to the current 2-hour requirement. In addition, the Board proposes to make it clear that the Board will not approve partial credit for a course or program. These proposed amendments are consistent with amendments the Board is proposing in a separate rulemaking applicable to all of its licensees (including marriage and family therapists, and professional counselors).

The Board proposes to amend § 47.36 (relating to preapproved providers of continuing education courses and programs for licensed social workers, licensed clinical social workers and licensed bachelor social workers) to include provisions for bachelor social workers, and to set forth the \$65 fee for entities seeking preapproved provider status. This would allow an entity to offer an unlimited number of courses provided they demonstrate that their courses routinely meet the standards for courses and programs in § 47.35. The Board proposes to amend § 47.36a (relating to other sources of continuing education) to set forth the \$65 fee for licensees who wish to obtain continuing education clock hours on a case-by-case basis for other relevant professional development activities.

Fiscal Impact

This proposed rulemaking will have a fiscal impact on the regulated community of licensed bachelor social workers in that they would be required to pay a \$75 application fee and a \$95 biennial renewal fee. They would also incur costs associated with completion of 30 hours of continuing education each biennium. Because there are a large number of free and low cost options for meeting the continuing education requirements, the Board estimates an average cost of \$300 per biennium to comply with the continuing education requirements. This proposed rulemaking would also have an impact on applicants for licensure as licensed social workers, licensed clinical social workers, licensed marriage and family therapists, and licensed professional counselors due to the increased application fees. Applicants for licensure as a licensed social worker would incur a \$50 increase (from \$25 to \$75); applicants for licensure as a licensed clinical social worker would incur a \$45 increase (from \$45 to \$90); and applicants for licensure as a licensed marriage and family therapist or licensed professional counselor would incur a \$55 increase (from \$45 to \$100). Providers of continuing education courses and programs and, to a lesser extent, licensees would incur a \$20 increase in the application fee for approval of providers/courses/activities from \$45 to \$65.

Paperwork Requirements

Bachelor level social workers would need to file an application for licensure and keep documentation on file to demonstrate completion of continuing education credit hours. The Board has developed an application for licensure as a bachelor social worker and will need to revise some of its other applications to provide for the increased fees. There should be no other paperwork requirements for the Commonwealth or the regulated community.

Sunset Date

The Board continuously monitors the effectiveness of its regulations on a fiscal year and biennial basis. Therefore, a sunset date has not been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on January 31, 2018, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Professional Licensure Committee (HPLC) and the Senate Consumer Protection and Professional Licensure Committee (SCP/PLC). A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The Regulatory Review Act specifies detailed procedures for review prior to final publication of the rulemaking by the Board, the General Assembly and the Governor.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Regulatory Counsel, State Board of Social Workers, Marriage and Family Therapists and Professional Counselors, P.O. Box 69523, Harrisburg, PA 17106-5923, RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference 16A-6922—Licensed Bachelor Social Workers; Fees on submitted comments.

JAMES K. MATTA, Sr., Ed.D, NCC, LPC,
Chairperson

Fiscal Note: 16A-6922. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 47. STATE BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

GENERAL PROVISIONS

§ 47.1. Definitions.

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

* * * * *

Client/patient—An individual, group or family for whom a licensed **bachelor social worker, licensed social worker** or licensed clinical social worker provides social work services or clinical social work services. In the case of an individual with a legal guardian, such as a minor or legally incapacitated adult, the individual is the client/patient.

Immediate family member—A parent/guardian, child, sibling, spouse or other family member with whom the client/patient resides.

Licensed bachelor social worker—**A person who is currently licensed as a licensed bachelor social worker under section 7 of the act (63 P.S. § 1907).**

Licensed clinical social worker—A person who is currently licensed as a licensed clinical social worker under section 7 of the act [(63 P.S. § 1907)].

Licensed social worker—A person who is currently licensed as a licensed social worker under section 7 of the act.

Professional relationship—A [**therapeutic**] relationship which is deemed to exist for the period of time beginning with the first professional contact or consultation between a **licensed bachelor social worker**, licensed social worker or licensed clinical social worker and a client/patient and continuing thereafter until the last date of a professional service. If a **licensed bachelor social worker**, licensed social worker or licensed clinical social worker sees a client/patient on an intermittent basis, the professional relationship is deemed to start anew on each date that the **licensed bachelor social worker**, licensed social worker or licensed clinical social worker provides a professional service to the client/patient.

[*Provisional licensed social worker*—A person who is currently licensed as a provisional licensed social worker under section 7 of the act.]

Related field—Includes the fields of psychiatry, psychology, marriage and family therapy, counseling, art therapy, dance/movement therapy, drama therapy, music therapy, human services and counseling education.

* * * * *

§ 47.4. Licensure fees.

[(a)] The fee schedule for licensure as a **licensed bachelor social worker**, licensed social worker, [**provisional license**,] licensed clinical social worker, licensed marriage and family therapist or licensed professional counselor shall be as follows:

(1) Application fee for licensure and original license issuance as a **licensed bachelor social worker or licensed social worker** [\$25] \$75

(2) Biennial renewal for a **licensed bachelor social worker**, licensed social worker, **licensed** clinical social worker, **licensed** marriage and family therapist or **licensed** professional counselor \$95

[(3) Application fee for provisional license and provisional license issuance \$25

(4) [(3) Verification of licensure. \$15

[(5)] (4) Certification of license, scores or hours.. \$25

[(6)] (5) Application fee for licensure and original license issuance as a **licensed** clinical social worker [, **marriage and family therapist or professional counselor**] [\$45] \$90

(6) Application fee for licensure and original license issuance as a **licensed marriage and family therapist or licensed professional counselor** ... \$100

[(b) Applicants who were issued licenses prior to June 24, 1989, and who have not paid the appropriate fee in subsection (a) are required to remit the fee within 30 days of receipt of notice from the Board to maintain active licensure status. Failure to remit the required fee within that time will result in the license being placed on inactive status. A licensee holding oneself out as a “licensed social

worker” while the license is on an inactive status may be subject to disciplinary proceedings before the Board.]

LICENSURE

§ 47.11. Licensure examination.

(a) The examination required as a prerequisite to original licensure as a licensed social worker is the Association of Social Work Boards’ (ASWB) [(formerly known as the American Association of State Social Work Boards’ (AASSWB))] master’s level examination.

(b) The examination required as a prerequisite to being granted a license to hold oneself out as a **licensed bachelor** social worker [**with a provisional license is the ASWB (formerly known as AASSWB)] is the ASWB** bachelor’s level examination.

(c) The examination required as a prerequisite to being granted a license to hold oneself out as a licensed clinical social worker is the ASWB [(formerly known as AASSWB)] clinical level examination.

* * * * *

§ 47.12b. [**Provisional license as a social worker. (Reserved).**

[(a) To be issued a license to hold oneself out as a social worker with a provisional license, an applicant shall provide proof satisfactory to the Board, that the applicant has met the following conditions:

(1) Satisfied the general requirements for licensure of § 47.12 (relating to qualifications for licensure).

(2) Received a bachelor’s degree in social work from a school of social work or social welfare accredited by the Council on Social Work Education and has 3 years full time cumulative experience, under the supervision of a social worker who has graduated with a master’s degree in social work or social welfare from a school which was an accredited school on the date the degree was awarded or who possesses a doctoral degree in social work.

(3) Offered proof of current enrollment in a master’s degree program at a school of social work or social welfare accredited by the Council on Social Work Education.

(4) Passed the provisional license examination requirement set forth in § 47.11 (relating to licensure examination).

(b) A provisional licensee while working as a social worker with a current provisional license, shall associate himself with a licensed social worker or other social worker who qualifies under the act and this chapter. The provisional licensee shall be under the supervision and direction of the licensed social worker or other social worker who qualifies under section 7(b)(2) of the act (63 P.S. § 1907(b)(2)).

(c) An applicant may not be issued more than three provisional licenses. A provisional license has a 2-year duration.

(d) If a provisional licensee discontinues his education to obtain a master’s degree in social work or social welfare from an accredited school, the provisional licensee shall notify the Board in writing of

the licensee's discontinuance and return to the Board any provisional license.]

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

§ 47.12e. Licensed bachelor social worker.

To be issued a license to hold oneself out as a licensed bachelor social worker, an applicant shall provide proof satisfactory to the Board that the applicant has met all of the following conditions:

(1) Satisfied the general requirements for licensure in § 47.12 (relating to qualifications for licensure).

(2) Received a bachelor's degree from a program of social work or social welfare accredited by the Council on Social Work Education.

(3) Passed the bachelor's license examination requirement in § 47.11 (relating to licensure examination).

§ 47.15. Biennial renewal; inactive status; failure to renew.

(a) *Biennial renewal.*

(1) A license granted under the act expires on the last day of the renewal month of every biennial period unless renewed for the next biennium.

(2) A licensed **bachelor social worker, licensed social worker or licensed clinical** social worker who fails to renew his license shall cease using the title licensed **bachelor social worker, licensed social worker or licensed clinical** social worker.

(3) Biennial renewal forms, other forms and literature to be distributed by the Board will be forwarded to the last mailing address given to the Board by the licensee. Whenever the licensee changes his mailing address of record, the licensee shall notify the Board, in writing, within 10 days after making the address change.

(4) To retain the right to use the title licensed **bachelor social worker, licensed social worker or licensed clinical** social worker when engaging in practice, the licensee shall renew his license in the manner prescribed by the Board and pay the biennial renewal fee required by § 47.4 (relating to licensure fees), prior to the expiration of the current biennium.

(5) When a license is renewed after the expiration of the biennial period, a late fee required by § 47.4, as authorized by sections 224—227 of the Bureau of Professional and Occupational Affairs Fee Act (63 P.S. §§ 1401-224—1401-227), shall be applied for each month or part of a month that the licensee failed to renew the license or failed to notify the Board of the licensee's desire to be placed on inactive status. This late fee will be charged in addition to the biennial renewal fee.

(6) The licensee who fails to pay the biennial renewal fee or who notifies the Board that the licensee does not desire to renew his license, will not be sent biennial renewal forms for the following biennial renewal periods, unless the licensee notifies the Board in writing of the licensee's desire to reactivate the license.

(7) A licensee who practiced **bachelor social work, social work or clinical** social work and used or implied the licensee was a licensed **bachelor social worker, licensed social worker or licensed clinical** social worker during a period in which the licensee was not licensed is subject to prosecution under section 16 of the act (63 P.S. § 1916).

(b) *Inactive status.*

(1) A licensee who does not intend to use the title licensed **bachelor social worker, licensed social worker or licensed clinical** social worker in this Commonwealth and who does not desire to renew his license shall inform the Board in writing. Written confirmation of the Board's receipt of the licensee's letter and notice that the license has been classified as inactive will be forwarded to the licensee.

(2) A licensee applying for licensure renewal will not be assessed a late fee for preceding biennial periods in which the licensee was not engaging as a licensed **bachelor social worker, licensed social worker or licensed clinical** social worker in this Commonwealth, if the licensee properly notified the Board of the licensee's desire to be placed on inactive status.

(3) If the other conditions of the act and this chapter have been met, active status will be restored upon payment of fees as required under § 47.4.

(c) *Reactivation.* A licensee who is applying to return to active status after expiration of a license as a licensed **bachelor social worker, licensed social worker or licensed clinical** social worker shall:

(1) Pay fees which are due as required under the act, § 47.4 and sections 224—227 of the Bureau of Professional and Occupational Affairs Fee Act.

(2) Submit a sworn statement stating the period during which the licensee was not using the title or engaging as a licensed **bachelor social worker, licensed social worker or licensed clinical** social worker in this Commonwealth.

CONTINUING EDUCATION

§ 47.32. Requirement for biennial renewal.

[(a)] The Board requires, as a condition of biennial renewal of a **bachelor social worker's license, a social worker's license or a clinical** social worker's license, the completion during the preceding biennium of 30 clock hours of continuing education in acceptable courses and programs in social work offered by approved providers. Excess clock hours may not be carried over to the next biennium. [**Effective with the 2009 renewals and thereafter, at**] At least 3 of the required 30 clock hours must be related to ethical issues.

[(b) The Board requires, as a condition of biennial renewal of a **clinical social worker's license, the completion during the preceding biennium of 30 clock hours of continuing education in acceptable courses and programs in social work offered by approved providers. Effective with the 2009 renewals and thereafter, at least 3 of the required 30 clock hours must be in ethical issues. Excess clock hours may not be carried over to the next biennium.**]

§ 47.33. Acceptable continuing education courses and programs.

(a) Only courses or programs offered by Board approved providers will be accepted for continuing education credit, except as provided in § 47.36a (relating to other sources of continuing education).

(b) [**Continuing**] For renewal of a **social worker's license or a clinical social worker's license, continuing** education courses and programs must be appropriate for the master's level practitioner and pertain

to the practice of social work or clinical social work as defined in section 3 of the act (63 P.S. § 1903).

(c) For renewal of a bachelor social worker's license, continuing education courses and programs must pertain to the practice of bachelor social work as defined in section 3 of the act or contribute to the professional development of the licensed bachelor social worker. Nothing in this subsection should be construed as expanding the scope of practice of a licensed bachelor social worker.

[(c)] (d) The Board will not approve courses or programs in office management or in practice building.

[(d)] (e) A licensee may accrue up to 20 of the required clock hours in home study courses offered by approved providers if the home study course has specific learning objectives which the provider evaluates to assure that learning has taken place. Home study courses must be indicated as such on the certificates of attendance.

§ 47.34. Registration of continuing education providers who offer one course or program.

(a) An agency, organization, institution, association, center or individual seeking to offer one organized course or program may apply to the Board as a provider.

(b) An applicant for Board approval as a provider of a course or program shall submit an application, along with a fee of [\$45] \$65, at least 90 days before the date the course or program commences.

* * * * *

§ 47.35. Standards for courses and programs.

(a) A provider or licensee seeking Board approval of a course or program shall present evidence that the course or program [is geared toward the master's level practitioner and] has all of the following:

(1) Subject matter pertaining to the enhancement of the licensed bachelor social worker's, licensed social worker's or licensed clinical social worker's knowledge and practice skills related to helping people achieve adequate and productive personal, interpersonal and social adjustments in their individual lives, in their families and in their community.

(2) For courses targeted to licensed social workers and licensed clinical social workers, evidence that the course or program is geared toward the master's level practitioner.

[(2)] (3) An established mechanism measuring the quality of the course or program being offered.

[(3)] (4) Established criteria for selecting and evaluating faculty or source material.

[(4)] (5) Established criteria for the evaluation of each course or program upon completion.

[(5)] (6) A minimum total duration of at least [2 clock hours; however, the hours need not be contiguous] 1 clock hour. **The Board will not approve partial credit for a course or program.**

(b) Providers shall comply with relevant Federal, State and local laws related to serving people with disabilities and shall provide adequate facilities and appropriate instructional materials to carry out the continuing education course or program.

(c) Providers shall insure that instructors have suitable qualifications and are of good reputation and character.

§ 47.36. Preapproved providers of continuing education courses and programs for licensed social workers [and], licensed clinical social workers and licensed bachelor social workers.

* * * * *

(b) The Board will consider for approval, as preapproved providers, other organizations who offer multiple courses and programs for licensed bachelor social workers, licensed social workers and licensed clinical social workers. The request for approval shall be submitted to the Board in writing **and accompanied by a \$65 fee,** along with a rationale as to why the organization should be included as a preapproved provider **with specific reference to the standards in § 47.35.**

* * * * *

§ 47.36a. Other sources of continuing education.

(a) Clock hours may be granted on a case-by-case basis for the following:

(1) Participation in clinical conferences, clinical rounds or training under a preceptor provided through hospitals, medical centers, schools and universities.

(2) First-time experience as a teacher.

(3) Publications of articles, books and research relating to the practice of **bachelor social work,** social work or clinical social work.

(4) Services as a preceptor, lecturer or speaker.

(b) A licensee who wishes to obtain clock hours for credit under subsection (a)(1), (2) or (4) shall submit, prior to participating in the event, an application for approval along with a \$65 fee as provided by § 47.34(b) (relating to registration of continuing education providers who offer one course or program). A licensee seeking to obtain clock hours for a publication under subsection (a)(3)[,] shall submit, after the publication of the article, book or research, an application for approval along with a \$65 fee as provided by § 47.34(b).

§ 47.41. Disciplinary action authorized.

(a) A licensed bachelor social worker, licensed social worker or licensed clinical social worker who submits fraudulent clock hour reports will be subject to disciplinary action under section 11(a)(5) of the act (63 P.S. § 1911(a)(5)).

(b) The falsification of a clock hour report by a program provider will result in revocation of approval by the Board for further program offerings of that provider.

SEXUAL MISCONDUCT

§ 47.61. Prohibited conduct.

Sexual intimacies between a licensed bachelor social worker, licensed social worker or licensed clinical social worker and a current client/patient, or an immediate family member of a current client/patient, are prohibited.

§ 47.62. Former sexual partners as clients/patients.

Licensed bachelor social workers, licensed social workers and licensed clinical social workers may not accept as client/patients individuals with whom they have engaged in sexual intimacies.

§ 47.63. Sexual intimacies with a former client/patient or an immediate family member of a former client/patient.

(a) Sexual intimacies between a licensed bachelor social worker, licensed social worker or licensed clinical social worker and a former client/patient, or an

immediate family member of a former client/patient are prohibited for 7 years following the termination of the professional relationship.

(b) Following the passage of the 7-year period, **licensed bachelor social workers**, licensed social workers and licensed clinical social workers may engage in sexual conduct with a former client/patient, or an immediate family member of a former client/patient which is not exploitive. In determining whether the conduct is exploitive, the **licensed bachelor social worker**, licensed social worker or licensed clinical social worker shall consider all of the following:

(1) The amount of time that has passed since the professional relationship terminated.

(2) The nature and duration of the [**therapy**] **professional relationship**.

(3) The circumstances of termination.

(4) The client/patient's personal history—for example, unique vulnerabilities.

(5) The client/patient's current mental status.

(6) Statements or actions made by the **licensed bachelor social worker**, licensed social worker or licensed clinical social worker during the course of [**therapy**] **professional relationship** suggesting or inviting the possibility of a [**posttermination**] **post-termination** sexual or romantic relationship with the client/patient.

(7) The likelihood of adverse impact on the client/patient and immediate family members of the client/patient.

§ 47.64. Disciplinary proceedings.

(a) A violation of §§ 47.61—47.63 (relating to prohibited conduct; former sexual partners as clients/patients; **and** sexual intimacies with a former client/patient or an immediate family member of a former client/patient) will be deemed unprofessional conduct and will subject the **licensed bachelor social worker**, licensed social worker or licensed clinical social worker to discipline under section 11(a)(2) of the act (63 P.S. § 1911(a)(2)).

(b) The consent of a former client/patient or immediate family member of a former client/patient to engage in sexual intimacies with the **licensed bachelor social worker**, licensed social worker or licensed clinical social worker is not a defense in any disciplinary action brought under §§ 47.61—47.63.

* * * * *

§ 47.65. Impaired professional program.

When the Board takes disciplinary or corrective action against a **licensed bachelor social worker**, licensed social worker or licensed clinical social worker under section 11(a) of the act (63 P.S. § 1911(a)), for conduct prohibited by §§ 47.61—47.63 (relating to prohibited conduct; former sexual partners as clients/patients; and sexual intimacies with a former client/patient[,] or an immediate family member of a former client/patient), the **licensed bachelor social worker**, licensed social worker or licensed clinical social worker will not be eligible for placement into an impaired professional program in lieu of disciplinary or corrective action.

CODE OF ETHICAL PRACTICE AND STANDARDS OF PROFESSIONAL CONDUCT

§ 47.71. Codes of ethical practice and professional conduct.

The Board subscribes to the codes of ethics and practice standards promulgated by the National Association of Social Workers (NASW), the Pennsylvania Society for Clinical Social Work and the Model Social Work Practice Act of the Association of State Social Work Boards. Licensed **bachelor social workers**, **licensed** social workers and licensed clinical social workers (licensees) shall adhere to these codes and standards, except when they conflict with this chapter. The Board will use these codes and standards in resolving ambiguities which may arise in the interpretation of this chapter, except that whenever any conflict exists between this chapter and the professional associations' codes and standards, this chapter shall prevail.

[Pa.B. Doc. No. 18-216. Filed for public inspection February 9, 2018, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

DEPARTMENT OF THE AUDITOR GENERAL

[4 PA. CODE CH. 501]

Auditee Reporting Requirements

The Department of the Auditor General (Department) adopts Chapter 501 (relating to auditee reporting requirements—statement of policy) for the purpose of interpreting and implementing recent amendments to section 403 of The Fiscal Code (act) (72 P.S. § 403) regarding the auditee reporting requirements under section 1.5 of the act of October 30, 2017 (P.L. 725, No. 44) (Act 44).

Under section 403 of the act, the Department has the authority to audit every person, association, corporation and public agency receiving State funds payable out of any fund in the State Treasury. Further, the 2004 Commonwealth Court decision in *Com., Dept. of the Aud. Gen. v. State Emp. Ret. Sys.*, 860 A.2d 206, 214 (Pa. Cmwlth. 2004) (citing to the prior case in *Com., Dept. of the Aud. Gen. v. State Emp. Ret. Sys.*, 836 A.2d 1053 (Pa. Cmwlth. 2003)), observed “[t]he Court’s conclusion plainly was that the Auditor General under Article VIII, Section 10 of the Constitution and Sections 402 and 403 of The Fiscal Code has the authority to conduct performance audits.” (Emphasis added.)

Therefore, section 402 of the act (72 P.S. § 402) and section 403 of the act provide the basis for the Auditor General to have broad authority to audit every Commonwealth department, board and commission, as well as every person association, corporation and public agency receiving State funds at his discretion.

Purpose of this Statement of Policy

A “statement of policy” is defined in section 102(13) of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1102(13)), known as the Commonwealth Documents Law (CDL), as:

any document, except an adjudication or a regulation, promulgated by an agency which sets forth substantive or procedural personal or property rights, privileges, immunities, duties, liabilities or obligations of the public or any part thereof, and includes, without limiting the generality of the foregoing, *any document interpreting or implementing any act of Assembly enforced or administered by such agency.*

(Emphasis added.)

Further, the Commonwealth Court recently observed in *Borough of Bedford v. Com., Dept. of Environmental Protection*, 972 A.2d 53, 61-62 (Pa. Cmwlth. 2009) (citing *Com., Dept. of Corrections and Com., Dept. of Public Welfare v. Pennsylvania State Corrections Officers Association*, 932 A.2d 359, 365 n. 9 (Pa. Cmwlth. 2007)):

The value of a statement of policy is that it communicates, in advance of a discrete agency action, how the agency interprets a law and intends to give it effect. A statement of policy can be published in the Pennsylvania Code, but *publication is not required*; by contrast, a regulation must be published in the Pennsylvania Code.

(Emphasis added.)

Therefore, the Department adopts Chapter 501 to assist the entities impacted by the auditee reporting require-

ments in section 403 of the act regarding auditee reporting requirements under Act 44.

As set forth in Annex A, the Department interprets the Act 44 auditee reporting requirements to apply to any entity that receives a direct or indirect appropriation from the Commonwealth including any Commonwealth executive and independent department, board and commission, and a school district.

Contact Person

The contact person for technical issues is Penelope LaFoe, Administrative Officer III, Department of the Auditor General, Office of Chief Counsel, (717) 787-4546, PLaFoe@PaAuditor.Gov. The contact person for legal questions is Christal Pike-Nase, Deputy Chief Counsel, Department of the Auditor General, Office of Chief Counsel, (717) 787-4546, CPike-Nase@PaAuditor.Gov.

EUGENE A. DePASQUALE,
Auditor General

(*Editor’s Note:* Title 4 of the *Pennsylvania Code* is amended by adding statements of policy in §§ 501.1—501.10 and Appendix A to read as set forth in Annex A. This statements of policy is effective upon publication in the *Pennsylvania Bulletin*.)

Fiscal Note: 128-1. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART XIV. DEPARTMENT OF THE AUDITOR GENERAL

Chap.

501. AUDITEE REPORTING REQUIREMENTS—STATEMENT OF POLICY

CHAPTER 501. AUDITEE REPORTING REQUIREMENTS—STATEMENT OF POLICY

Sec.

501.1.	Statement of policy.
501.2.	Performance audits.
501.3.	Timely response.
501.4.	Department auditee notice.
501.5.	Response notification.
501.6.	Web site postings.
501.7.	Responses considered.
501.8.	Failure to report notification.
501.9.	Failure to report considered.
501.10.	Department coordination.

§ 501.1. Statement of policy.

The Department of the Auditor General declares that it interprets the entities that are subject to the auditee reporting requirements in section 403 of The Fiscal Code (72 P.S. § 403) as including any Commonwealth executive and independent department, board and commission, and any school district receiving a direct or indirect appropriation from the Commonwealth (auditee).

§ 501.2. Performance audits.

Under case law, the Auditor General has the authority to conduct “special” audits, including special performance audits, under sections 402 and 403 of The Fiscal Code (72 P.S. §§ 402 and 403).

§ 501.3. Timely response.

Every auditee, including any Commonwealth department, board and commission, and any school district, receiving recommendations in any of its audits shall

submit a response to the Department of the Auditor General detailing adoption of the recommendations, or the reason why recommendations have not been adopted (Act 44 Auditee Reporting Form), within 120 business days of the publication of the audit.

§ 501.4. Department auditee notice.

The Department of the Auditor General will provide notice to every auditee (any department, board and commission, and any school district) 60 business days after the date of the audit's publication that future appropriations could be denied for failure to respond.

§ 501.5. Response notification.

The Department of the Auditor General (Department) will regularly notify (quarterly) the Governor and the Chairpersons and Minority Chairpersons of the Appropriations Committees of the Senate and the House of Representatives of the auditees' responses received, accompanied by comments the Department may wish to submit.

§ 501.6. Web site postings.

The Department of the Auditor General (Department) will post all of the auditees' responses on the Department's publicly accessible web site.

§ 501.7. Responses considered.

The Governor and the Chairpersons and Minority Chairpersons of the Appropriations Committees of the

Senate and the House of Representatives may consider the auditees' responses when determining whether future appropriations will be considered.

§ 501.8. Failure to report notification.

If the auditee does not respond to the Department of the Auditor General (Department) within 120 business days from the date of the publication of the audit, the Department will notify the Governor and the Chairpersons and Minority Chairpersons of the Appropriations Committees of the Senate and the House of Representatives.

§ 501.9. Failure to report considered.

The Governor and the Chairpersons and Minority Chairpersons of the Appropriations Committees of the Senate and the House of Representatives may consider a failure to respond to the audit when determining future appropriations.

§ 501.10. Department coordination.

The Department of the Auditor General (Department) will work with the Chairpersons and Minority Chairpersons of the Appropriations Committees of the Senate and the House of Representatives to determine the most effective method to communicate information concerning responses to the Department's audit recommendations based on the type of audit and significance of the recommendations.

Appendix A



**COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA DEPARTMENT OF THE AUDITOR GENERAL**

Act 44 Auditee Reporting Form

The Department of the Auditor General provides this form for every department, board, and commission and every school district to report its adoption of the Department’s recommendations in its most recent audit pursuant to Act 44 of 2017 amendments to The Fiscal Code regarding Auditee reporting requirements and the Department’s STATEMENT OF POLICY and FORM in 4 Pa. Code Part XIV published in the Pennsylvania Bulletin on February 10, 2018.

Within **120 business days** of the publication of the audit, every department, board, and commission (Auditee) that receives recommendations in its audit must submit a response to the Department including the following:

Details of the Auditee’s adoption of the Department’s recommendations, or the reason why recommendations have not been adopted (add attachments as necessary).

Note: Pursuant to Section 1.5 of Act 44, if the Auditee fails to respond to the Department's recommendations within **120 business days**, the Department will notify the Governor and the Chairpersons and Minority Chairpersons of the Appropriations Committees of the Senate and the House of Representatives, which may consider an Auditee's failure to respond to the Department's audit when determining the Auditee's future appropriations.

[Pa.B. Doc. No. 18-217. Filed for public inspection February 9, 2018, 9:00 a.m.]

Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 41]

[M-2017-2629722]

Motor Common Carrier Applications

The Pennsylvania Public Utility Commission (Commission), on December 7, 2017, adopted a final policy statement regarding the evidentiary criteria used to evaluate motor carrier applications to reflect the elimination of the public need component in applications for motor carrier authority.

Public Meeting held
December 7, 2017

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

*Policy Statement Revision of 52 Pa. Code § 41.14;
M-2017-2629722*

Final Policy Statement

By the Commission:

On October 27, 2016, the Commission entered a Final Rulemaking Order wherein the Commission, inter alia, eliminated the requirement that an applicant for common carrier authority establish that approval of the application will serve a useful public purpose, responsive to public demand or need. Final Rulemaking Amending 52 Pa. Code Chapters 1, 3, 5, 23 and 29, Docket No. L-2015-2507592 (Order entered October 27, 2016).¹ In that Order, we found that public need for a particular service was best determined by a competitive market for qualified applicants.

Consistent with this regulatory change, we will now modify our existing policy statement regarding the evidentiary criteria used to evaluate motor carrier applications at 52 Pa. Code § 41.14 to reflect the elimination of the public need component in applications for motor carrier authority.

Specifically, we will eliminate subsections (a), (c), and (d) of the policy statement at 52 Pa. Code § 41.14(a), (c), and (d). Subsection (a) should be deleted because it refers to the applicant's burden of demonstrating that there is public demand for the proposed service. As applicants for a certificate no longer need to prove demand to obtain a

certificate to operate as a motor common carrier, the Commission will delete this subsection from the policy statement.

Also, subsection (c) should be deleted because that provision provides that the Commission will grant motor common carrier authority commensurate with the demonstrated public need unless the entry of the new carrier would endanger or impair existing common carrier operations. As this is no longer a valid criterion for considering motor common carrier authority under our regulations, this provision is properly deleted from our policy statement.

Finally, subsection (d) provides for an exclusion to the traditional "need" requirements of subsections (a) and (c) for applicants for limousine authority. Since subsections (a) and (c) are no longer applicable evidentiary criteria for any common carrier applicants, this provision should also be eliminated.

Accordingly, pursuant to 66 Pa.C.S. §§ 501, 505, 506, and 512, we will adopt as final, the revisions to Section 41.14 as set forth in Annex A; *Therefore,*

It Is Ordered That:

1. The Commission amends the final policy statement in § 41.14 to read as set forth in Annex A.

2. The Law Bureau shall submit this Order and Annex A to the Governor's Budget Office for review of fiscal impact.

3. The Law Bureau shall deposit this order and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

4. This policy statement shall become effective upon publication in the *Pennsylvania Bulletin*.

5. This Final Order and Annex A be posted on the Commission's website.

6. The contact person is Joseph P. Cardinale, Jr., Assistant Counsel, Law Bureau, (717) 787-5558. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Alyson Zerbe, Regulatory Review Coordinator, Law Bureau, (717) 772-4597.

ROSEMARY CHIAVETTA,
Secretary

Fiscal Note: 57-318. No fiscal impact; (8) recommends adoption.

¹ The rulemaking was effective upon publication in the *Pennsylvania Bulletin* on June 3, 2017. 47 Pa.B. 3099.

Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart B. CARRIERS OF PASSENGERS OR
PROPERTYCHAPTER 41. GENERAL ORDERS, POLICY
STATEMENT AND GUIDELINES ON
TRANSPORTATION UTILITIES

TRANSPORTATION

§ 41.14. Evidentiary criteria used to decide motor
common carrier applications—statement of policy.

An applicant seeking motor common carrier authority has the burden of demonstrating that it possesses the technical and financial ability to provide the proposed service. In addition, authority may be withheld if the record demonstrates that the applicant lacks a propensity to operate safely and legally. In evaluating whether a motor carrier applicant can satisfy these fitness standards, the Commission will ordinarily examine the following factors, when applicable:

(1) Whether an applicant has sufficient capital, equipment, facilities and other resources necessary to serve the territory requested.

(2) Whether an applicant and its employees have sufficient technical expertise and experience to serve the territory requested.

(3) Whether an applicant has or is able to secure sufficient and continuous insurance coverage for all vehicles to be used or useful in the provision of service to the public.

(4) Whether the applicant has an appropriate plan to comply with the Commission's driver and vehicle safety regulations and service standards in Chapter 29 (relating to motor carriers of passengers).

(5) An applicant's record, if any, of compliance with 66 Pa.C.S. (relating to Public Utility Code), this title and the Commission's orders.

(6) Whether an applicant or its drivers have been convicted of a felony or crime of moral turpitude and remains subject to supervision by a court or correctional institution.

[Pa.B. Doc. No. 18-218. Filed for public inspection February 9, 2018, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending January 30, 2018.

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

BANKING INSTITUTIONS

Mutual Holding Company Reorganizations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
1-24-2018	Slovak Savings Bank Pittsburgh Allegheny County Reorganization into a two-tier mutual holding company structure.	Effective

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
1-29-2018	Penny B. Weiner Joint Revocable Trust of Warren & Penny Weiner Weiner Family Partnership WFP2, LP Application for approval to acquire more than 5% of the common stock of Hyperion Bank, Philadelphia.	Filed

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-18-2018	Republic First Bank Philadelphia Philadelphia County	599 South Oxford Valley Road Fairless Hills Bucks County	Opened
1-25-2018	CNB Bank Clearfield Clearfield County	676 72nd Street Niagara Falls Niagara County, NY	Filed
1-25-2018	First Keystone Bank Berwick Columbia County	559 Main Street Bethlehem Northampton County	Filed
1-30-2018	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	1700 New Butler Road New Castle Lawrence County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
1-19-2018	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	5801 Ridge Avenue Philadelphia Philadelphia County	Closed

**CREDIT UNIONS
Articles of Amendment**

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
1-24-2018	Erie Community Credit Union Erie Erie County Amendment to Article I of the institution's Articles of Incorporation provides for a change in corporate title to "Tendto Credit Union."	Filed

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. 18-219. Filed for public inspection February 9, 2018, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
Applications, Actions and Special Notices**

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications.

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PAS232213 (Storm Water)	Royal Chemicals Co. Ltd Plant 1336 Crowe Road East Stroudsburg, PA 18301	Monroe County Stroud Township	Brodhead Creek (1-E)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed#)	EPA Waived Y/N?
PA0222674 (Sewage)	McKean Township Sewer Authority STP PO Box 88 9231 Edinboro Road McKean, PA 16426-1845	Erie County McKean Township	Elk Creek (15-A)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0085316—Sew	Fort Heritage, LTD. Linwood & Lois Kern 1958 Emmitsburg Road Gettysburg, PA 17325	Adams County/ Cumberland Township	Marsh Creek/13-D	Y
PA0084565—Sew	East Prospect STP The York Water Company 130 E. Market St. York, PA 17401	York County/ Lower Windsor Township	Cabin Creek/7-I	Y
PA0260762—Sew	New Buffalo Borough PO Box 245 New Buffalo, PA 17069	Perry County/New Buffalo Borough & Watts Township	Buffalo Creek/6-C	Y
PA0080756—Sew	Hershey Farm Restaurant and Motor Inn PO Box 159 Strasburg, PA 17579	Lancaster County/ Strasburg Township	Pequea Creek/7-K	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0022365 (Sewage)	Perryopolis STP PO Box 298 Perryopolis, PA 15473-0298	Fayette County Perryopolis Borough	Youghiogheny River (19-D)	Yes

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

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

PA0001571, Industrial, SIC Code 4911, **NRG Power Midwest LP**, 121 Champion Way, Canonsburg, PA 15317. Facility Name: Retired Elrama Generating Station. This existing facility is located in Union Township, **Washington County**.

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

The receiving stream, Monongahela River, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average	Daily	Minimum	Average	Daily	Instant. Maximum
	Monthly	Maximum		Monthly	Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	100.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average	Daily	Minimum	Average	Daily	Instant. Maximum
	Monthly	Maximum		Monthly	Maximum	
Flow (mgd)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX

The proposed effluent limits for Internal Monitoring Point 501 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average	Daily	Minimum	Average	Daily	Instant. Maximum
	Monthly	Maximum		Monthly	Maximum	
Flow (mgd)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	50.0	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average	Daily	Minimum	Average	Daily	Instant. Maximum
	Monthly	Maximum		Monthly	Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	100.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX

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

The EPA Waiver is not in effect.

PA0001571, Industrial, SIC Code 4911, **NRG Power Midwest LP**, 121 Champion Way, Canonsburg, PA 15317. Facility Name: Retired Elrama Generating Station. This existing facility is located in Union Township, **Washington County**.

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

The receiving stream, Monongahela River, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average	Daily	Minimum	Average	Daily	Instant. Maximum
	Monthly	Maximum		Monthly	Maximum	
Total Suspended Solids	XXX	XXX	XXX	XXX	100.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX

The proposed effluent limits for Internal Monitoring Point 101 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average	Daily	Minimum	Average	Daily	Instant. Maximum
	Monthly	Maximum		Monthly	Maximum	
Flow (mgd)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	100.0	XXX
Oil and Grease	XXX	XXX	XXX	15.0	20.0	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX

The proposed effluent limits for Internal Monitoring Point 501 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (mgd)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	50.0	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Total Suspended Solids	XXX	XXX	XXX	XXX	100.0	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX

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

The EPA Waiver is not in effect.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970.

PA0056766, Storm Water, SIC Code 4581, **Philadelphia City Division Of Aviation**, Terminal E, Philadelphia, PA 19153. Facility Name: Philadelphia International Airport. This existing facility is located in Philadelphia City, **Philadelphia County**.

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

The receiving stream(s), Unnamed Tributary to Mingo Creek, Unnamed Tributary to Delaware River, and Delaware River, is located in State Water Plan watershed 3-F and 3-G 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:

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	Instant. Maximum
Flow (MGD)						
Dec 1 - May 31	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)						
Dec 1 - May 31	XXX	XXX	6.0	XXX	9.0	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease						
Dec 1 - May 31	XXX	XXX	XXX	15	30	XXX
					Daily Max	
Nitrate-Nitrite as N						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Potassium, Total						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	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>Average Monthly</i>	<i>Maximum</i>	
Acetic Acid						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Ethylene Glycol						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Propylene Glycol						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 005.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)						
Dec 1 - May 31	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)						
Dec 1 - May 31	XXX	XXX	6.0	XXX	9.0	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Potassium, Total						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Acetic Acid						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Ethylene Glycol						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX
Propylene Glycol						
Dec 1 - May 31	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for IMP 101:

<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</i>	<i>Maximum</i>	
Oil and Grease	XXX	XXX	XXX	15	30	XXX
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	15	30	XXX

The proposed effluent limits for IMP 201:

<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</i>	<i>Maximum</i>	
Oil and Grease	XXX	XXX	XXX	15	30	XXX
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	15	30	XXX

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

- Public Nuisance
- BAT Application
- Property Rights
- Change of ownership
- TMDL/WLA Analysis
- Lab Certification
- Contaminated Stormwater
- Tank Bottom Water Definitions
- BMPs for petroleum marketing
- Requirement for Stormwater

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

The EPA Waiver is in effect.

PA0058017, Sewage, SIC Code 8811, **Harrow Station LLC**, 265 Frogtown Road, Kintnersville, PA 18930-9644. Facility Name: Harrow Station STP. This existing facility is located in Nockamixon Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary to Haycock Creek, is located in State Water Plan watershed 2-D and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies. The proposed effluent limits for Outfall 001 are based on a design flow of 0.00382 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	0.32	XXX	XXX	10.0	XXX	20
Total Suspended Solids	0.32	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200.0 Geo Mean	XXX	1,000.0
May 1 - Sep 30	XXX	XXX	XXX	200.0 Geo Mean	XXX	1,000.0
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	0.095	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	0.047	XXX	XXX	1.5	XXX	3
Total Phosphorus	0.0159	XXX	XXX	0.5	XXX	1

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

- Designation of Responsible Operator
- Lab Certification
- Discharge into Special Protection Waters

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

The EPA Waiver is in effect.

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

PA0052167, Sewage, SIC Code 4952, **Wind Gap Municipal Authority**, 578 Abel Colony Road, Wind Gap, PA 18091. Facility Name: Wind Gap Municipal Authority WWTP. This existing facility is located in Plainfield Township, **Northampton County**.

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

The receiving stream, Unnamed Tributary to Little Bushkill Creek, is located in State Water Plan watershed 01F and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.0 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 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.15	XXX	0.34
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	166.6	250	XXX	20.0	30.0	40.0
May 1 - Oct 31	83.3	125	XXX	10.0	15.0	20.0
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	250	375	XXX	30.0	45.0	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	50	XXX	XXX	6.0	XXX	12.0
May 1 - Oct 31	17	XXX	XXX	2.0	XXX	4.0
Nitrate-Nitrite as N (lbs/year)	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen (lbs/year)	Annl Avg	Report	XXX	Annl Avg	Report	XXX
Total Kjeldahl Nitrogen (lbs/year)	Annl Avg	Report	XXX	Annl Avg	Report	XXX
Total Phosphorus (lbs/year)	Report	XXX	XXX	Report	XXX	XXX
	Annl Avg	Report	XXX	Annl Avg	Report	XXX

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Daily Maximum	Maximum	
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX

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

- Whole Effluent Toxicity (WET) Testing
- Requirements Applicable to Stormwater Outfalls

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.

PA0276057, Sewage, SIC Code 4952, **Larksville Borough Luzerne County**, 211 East State Street, Larksville, PA 18704. Facility Name: Valley View Estates Sewage Treatment Plant (STP). This proposed facility is located in Larksville Borough, **Luzerne County**.

Description of Proposed Activity: The application is for a new NPDES permit for an existing discharge of treated Sewage (replacing previous site NPDES Permit No. PA0061859) to service five (5) existing residences concurrent with WQM Permit Application No. 4017405 (rehabilitation/reuse of partially constructed existing sewage collection system & Outfall, and new 2000 GPD Sewage Treatment Plant).

The receiving stream(s), Brown Creek, is located in State Water Plan watershed 5-B and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0020 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			5.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.18	XXX	0.42
			XXX			
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	10.0	XXX	20.0
Raw Sewage Influent	Report Annl Avg	Report	XXX	Report Annl Avg	XXX	XXX
Total Suspended Solids	Report Annl Avg	Report	XXX	Report Annl Avg	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	Report	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0020 MGD.—Limits.

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

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

- Chesapeake Bay Nutrient Definitions; Solid Management Conditions: Stormwater Prohibition; Necessary Property Rights; Residuals Management; Chlorine Minimization; Dry Stream; Notification of Responsible Licensed Operator; Standard SFTF condition; Changes in Existing Stream/Effluent.

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

The EPA Waiver is in effect.

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

PA0021563, Sewage, SIC Code 4952, **Gettysburg Municipal Authority**, PO Box 3307, Gettysburg, PA 17325-0307. Facility Name: Gettysburg STP. This existing facility is located in Cumberland Township, **Adams 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), Rock Creek, is located in State Water Plan watershed 13-D 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 3 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	250	375	XXX	10.0	15.0	20
Biochemical Oxygen Demand (BOD ₅)						
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 Fecal Coliform (CFU/100 ml)	375	563	XXX	15.0	22.5	30
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	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	75	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	25	XXX	XXX	1.0	XXX	2
Total Phosphorus	8.5	XXX	XXX	0.6	XXX	1.2

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

Parameter	Effluent Limitations			Concentrations (mg/L)		
	Monthly	Mass Units (lbs) Annual	Monthly	Monthly Average	Maximum	Instant. Maximum
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	44,748	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	5,966	XXX	XXX	XXX	XXX

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

- 1,100 lbs./year of Total Nitrogen Offsets was approved to be used for compliance with TN Cap Load
- To implement requirements applicable to stormwater outfalls
- Notification of designation of responsible operator
- Hauled in waste restriction
- WETT requirement
- Solids management for non-lagoon system
- SBR batch discharge conditions

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

The EPA Waiver is not in effect.

Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701.

PABIS4824. Leslie's Septic Service-Circle H Ranch, Pike Township, **Potter County.** Leslie's Septic Service has applied to beneficially use their biosolids on the Circle H Ranch in Pike Township, Potter County.

PABIS4824. Leslie's Septic Service-Woodcock Farm, Clymer Township, **Tioga County.** Leslie's Septic Service has applied to beneficially use their biosolids on the Woodcock farm in Clymer Township, Tioga County.

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

PA0265519, Sewage, SIC Code 8800, **Anthony Brunecz**, 1675 North Road, Sugar Grove, PA 16350. Facility Name: Anthony Brunecz SRSTP. This proposed facility is located in Sugar Grove Township, **Warren County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated sewage from a single-family residence.

The receiving stream, an Unnamed Tributary to Stillwater Creek, is located in State Water Plan watershed 16-B 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 0.0005 MGD.

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

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

- Requirement to submit an Annual Maintenance Report
- No stormwater admitted to the treatment system
- Aerobic tank pumping requirement
- Solids handling
- Abandonment of the treatment system (for public sewage)

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.

PA0265446, Sewage, SIC Code 8800, **Brian Abbey**, 8933 Williams Road, North East, PA 16428. Facility Name: Brian Abbey SRSTP. This proposed facility is located in Greenfield Township, **Erie County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated sewage from a single-family residence.

The receiving stream, an Unnamed Tributary to Twelvemile Creek, is located in State Water Plan watershed 15 and is classified for high quality—cold water and migratory fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

- Requirement to submit an Annual Maintenance Report
- No stormwater admitted to the treatment system
- Aerobic tank pumping requirement
- Solids handling
- Abandonment of the treatment system (for public sewage)

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.

PA0265420, Sewage, SIC Code 8800, **Corissa Williams**, 1267 Howard Road, Russell, PA 16345. Facility Name: Corissa Williams SRSTP. This proposed facility is located in Pine Grove Township, **Warren County**.

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

The receiving stream, an Unnamed Tributary to Storehouse Run, is located in State Water Plan watershed 16-B 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.

<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 (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

- Requirement to submit an Annual Maintenance Report
- No stormwater admitted to the treatment system
- Aerobic tank pumping requirement
- Solids handling
- Abandonment of the treatment system (for public sewage)

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.

PA0265179, Sewage, SIC Code 8800, **Michael S. Williams**, 810 Old State Road, Russell, PA 16345. Facility Name: Michael S. Williams SRSTP. This proposed facility is located in Pine Grove Township, **Warren County**.

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

The receiving stream, an Unnamed Tributary to the Conewango Creek, is located in State Water Plan watershed 16-B 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.—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	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	Annl Avg	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report Avg Mo	XXX	XXX

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 5216401-A1, Sewage, **Route 739, LLC**, 800 Mt. Vernon Hwy, Suite 140, Atlanta, GA 30328.

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

Description of Proposed Action/Activity: This application is for an amendment to WQM Permit No. 5216401 for modifications to the previous sewage collection system design. No changes to the treatment process or drip irrigation system are proposed. The wastewater treatment plant, sewage collection system and drip irrigation system will serve a proposed commercial development to be known as Delaware Plaza. The effluent from the proposed wastewater treatment plant will be discharged to a drip irrigation field for land application and disposal of the treated wastewater. The hydraulic design capacity of the treatment system is 4,570 gpd which includes flow contributions from a proposed grocery store, two retail users, a fast food restaurant, a community bank and a coffee/donut shop. The proposed project is located along S.R. 0739, approximately 0.5 mile southeast of Nichecronk Road.

WQM Permit No. 4017405, Sewage, **Larksville Borough Luzerne County**, 211 East State Street, Larksville, PA 18704.

This proposed facility is located in Larksville Borough, **Luzerne County**.

Description of Proposed Action/Activity: Rehabilitation/re-use of previously constructed sewage collection system and outfall; new replacement 2,000 GPD Sewage Treatment Plant at the Valley View Estates (NPDES No. PA00276057).

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

WQM Permit No. 2812404, Sewerage, **Ronald L. and Janet E. Sailhamer**, 3733 McClays Mill Road, Shippensburg, PA 17257.

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

Description of Proposed Action/Activity: Replacement of Tablet Chlorinator and Chlorine Contact Tank with UV Light.

WQM Permit No. 3617203, CAFO, **Shelmar Acres, LLC**, 580 Colebrook Road, Mount Joy, PA 17552.

This proposed facility is located in East Donegal Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction of one swine barn with an underhouse manure storage structure, access drives, stormwater management facilities and related appurtenances.

WQM Permit No. 2173201 A-1, Industrial Waste, **Advanced Disposal, Cumberland County Landfill**, 620 Newville Rd., Newburg, PA 17240.

This proposed facility is located in Hopewell & Newton Townships, **Cumberland County**.

Description of Proposed Action/Activity: Seeking approval/amendment on the construction/expansion of a Water Quality Management permit.

WQM Permit No. 3617408, Sewerage, **Weaverland Valley Authority**, 4610 Division Highway, East Earl, PA 17519.

This proposed facility is located in East Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a new sewage treatment plant and the removal of the Terre Hill STP.

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

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

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

Description of Proposed Action/Activity: Construction and operation of an industrial waste treatment plant.

WQM Permit No. 1117201, Industrial, **CPV Fairview LLC**, 50 Braintree Hill Office Park, Braintree, MA 02184.

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

Description of Proposed Action/Activity: Construction and operation of wastewater treatment facilities at the CPV Fairview Energy Center.

WQM Permit No. 5617404, Sewage, **Landy Joseph**, 108 Osage Path, Stoystown, PA 15563.

This proposed facility is in Indian Lake Borough, **Somerset County**.

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

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

WQM Permit No. 3701402 A-1, Sewage, **North Beaver Township Municipal Authority Lawrence County**, 861 Mount Jackson Road, New Castle, PA 16102-2415.

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

Description of Proposed Action/Activity: Amendment to replace comminutor and bar screen with open channel grinder at Hickory View Terrace WWTP.

WQM Permit No. 3718402, Sewage, **Beth Wyszomierski**, 3819 Chewton Wurtemberg Road, Ellwood City, PA 16117.

This proposed facility is located in Wayne Township, **Lawrence County**.

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

WQM Permit No. 2518403, Sewage, **Keith Hodinko**, 7335 Old Perry Highway Suite 2, Erie, PA 16509-5169.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD230023	Sunoco Partners Marketing and Terminals, L.P. 100 Green Street Marcus Hook, PA 19061	Delaware	Marcus Hook Borough	Delaware River WWF-MF
PAD510015	Dwell at Second Street, LLC 1735 Market Street, Suite 4010 Philadelphia, PA 19103	Philadelphia	City of Philadelphia	Delaware Estuary WWF-MF
PAD510022	City of Philadelphia Department of Public Property One Parkway Building 1515 Arch Street Philadelphia, PA 19102	Philadelphia	City of Philadelphia	Pennypack Creek WWF-MF
PAD150049	James Bruder 4277 Whitehorse Road Malvern, PA 19355	Bucks	Charlestown Township	Pickering 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>
PAD480043	City of Bethlehem 10 E Church St Bethlehem, PA 18018	Northampton	City of Bethlehem	Saucon Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD210018	Landmark Homes at Cear Run, LLC 1737 West Main Street Ephrata, PA 17522	Cumberland	Mechanicsburg Borough	UNT Cedar Run (CWF)
PAD210019	Group & Group 1545 Holly Pike Carlisle, PA 17015	Cumberland	South Middleton Township	Letort Spring Run (HQ-CWF MF)
PAD500002	Mitchel and Kelsey Smith 1276 Sandy Hollow Road New Bloomfield, PA 17068	Perry	Carroll Twp	Sherman Creek (HQ-WWF)

Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Elk County Conservation District, 850 Washington Street, St. Marys, PA 15857 814-776-5373.

Jefferson County Conservation District, 1514 Route 28, Brookville, PA 15825 814-849-7463.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD330004	PennDot District 10-0 P.O. Box 429 2550 Oakland Avenue Indiana, PA 15701	Jefferson	Brookville Borough and Pine Creek Township	UNT to North Fork of Redbank Creek HQ-CWF
PAD240005	Johnsonburg Municipal Authority 434 Center Street Johnsonburg, PA 15845	Elk	Johnsonburg Borough	East Branch of the Clarion River HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD240004	Johnsonburg Municipal Authority 434 Center Street Johnsonburg, PA 15845	Elk	Johnsonburg Borough	East Branch of Clarion River HQ-CWF; West Branch of Clarion River CWF; Clarion River CWF; Bear Creek HQ-CWF; Silver Creek HQ-CWF; Johnson Run CWF

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

PAG-12 CAFOs

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>
PAG133580	Oley Township 1 Rose Virginia Road Oley, PA 19547	Oley Township Berks County	Y	N
PAG133660	Shiremanstown Borough 1 Park Lane Shiremanstown, PA 17011	Shiremanstown Borough Cumberland County	N	Y
PAG133636	Millersville University P.O. Box 1002 Millersville, PA 17551	Millersville Borough Lancaster County	N	Y

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

<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>
PAG136354	Harmar Township 701 Freepoint Road Cheswick, PA 15024-1205	Harmar Township, Allegheny County	N	Y
PAG136134	East Huntingdon Township PO Box 9 Alverton, PA 15612-0009	East Huntingdon Township, Westmoreland County	N	Y
PAG136129	Monongahela City 449 W Main Street Monongahela, PA 15063	Monongahela City, Washington County	N	N
PAG136283	Monessen City 100 Third Street Monessen, PA 15062	Monessen City, Westmoreland County	N	Y
PAG136396	Upper Burrell Township 3735 Seventh Street New Kensington, PA 15067	Upper Burrell Township, Westmoreland County	Yes	No
PAG136310	Oakdale Borough 6115 Noblestown Road Oakdale, PA 15071-1347	Oakdale Borough Allegheny County	N	Requested
PAG136188	Carnegie Borough 1 Veterans Way Carnegie, PA 15106	Carnegie Borough Allegheny County	N	N
PAG136326	Arnold City 1829 Fifth Avenue Arnold, PA 15068	Arnold City, Westmoreland County	N	N
PAG136348	Aleppo Township 100 North Drive Sewickley, PA 15143-2383	Aleppo Township, Allegheny County	Yes	Yes
PAG136280	New Sewickley Township 233 Miller Road Rochester, PA 15074-2759	New Sewickley Township, Beaver County	N	Y

<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>
PAG136294	Manor Borough Westmoreland County 44 Main Street Manor, PA 15665	Manor Borough, Westmoreland County	N	Y
PAG136142	Munhall Borough Allegheny County 1900 West Street Munhall, PA 15120	Munhall Borough, Allegheny County	N	Y
PAG136352	Paint Township Somerset County 1741 Basin Drive Windber, PA 15963-6801	Paint Township, Somerset County	Y	N
PAG136297	Roscoe Borough PO Box 502 Roscoe, PA 15477-0502	Roscoe Borough, Washington County	Y	N
PAG136291	South Park Township 2675 Brownsville Road South Park, PA 15129-8525	South Park Township, Allegheny County	N	Y
PAG136240	Heidelberg Borough Allegheny County 1631 E Railroad Street Carnegie, PA 15106-4026	Heidelberg Borough, Allegheny County	N	Y
PAG136150	Millvale Borough Allegheny County 501 Lincoln Avenue Millvale, PA 15209-2647	Millvale Borough, Allegheny County	N	Y
PAG136212	Chartiers Township Washington County 2 Buccaneer Drive Houston, PA 15342-1181	Chartiers Township, Washington County	N	Y
PAG136274	Moon Township 1000 Beaver Grade Road Coraopolis, PA 15108-2906	Moon Township, Allegheny County	N	Y
PAG136252	Rostraver Township 201 Municipal Drive Belle Vernon, PA 15012-3549	Rostraver Township, Westmoreland County	N	Y
PAG136151	Avalon Borough 640 California Avenue Pittsburgh, PA 15202	Avalon Borough, Allegheny County	N	Y
PAG136128	Baldwin Borough 3344 Churchview Avenue Pittsburgh, PA 15227-4306	Baldwin Borough, Allegheny County	N	Y
PAG136282	South Fayette Township 515 Millers Run Road Morgan, PA 15064	South Fayette Township, Allegheny County	N	Y
PAG136289	Patterson Township 1600 19th Avenue Beaver Falls, PA 15010-5360	Patterson Township, Beaver County	N	Y
PAG136144	Vanport Township 477 State Avenue Beaver, PA 15009-1536	Vanport Township, Beaver County	N	Y
PAG136159	Brighton Township 1300 Brighton Road Beaver, PA 15009-9238	Brighton Township, Beaver County	N	Y

STATE CONSERVATION COMMISSION

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

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed

NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

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

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

**ACT 38
NUTRIENT MANAGEMENT PLANS
CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Shadewood Farms Hershey Ag 23 Acker Road Newport, PA 17074	Perry	133.5	1,111.14	Swine	NA	Renewal
Clair Burkholder 316 Center Rd Quarryville, PA 17566	Lancaster	323.8	804.06	Beef/Swine	HQ	R
Shelmar Acres LLC Mitchell Shellenberger 580 Colebrook Rd Mount Joy, PA 17552	Lancaster	206.1	1,474.8	Heifer/Swine	NA	R
Ken Meck 1503 Beaver Valley Pike Willow Street, PA 17584	Lancaster	129.4	348.4	Pullets/Steers	NA	R
Aaron Ott 678 Back Run Road McConnellsburg, PA	Fulton	2	688.57	Swine/Nursery	NA	New

**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.

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

Permit No. 2818502, Public Water Supply.

Applicant **Quincy Township**
Municipality Quincy Township
County **Franklin**
Responsible Official Robert Gunder, Chairman, Board of Supervisors
7575 Mentzer Gap Road
Waynesboro, PA 17268

Type of Facility Public Water Supply
Consulting Engineer John M. High, P.E.
William A. Brindle Associates Inc.
336 Lincoln Way East
Chambersburg, PA 17201

Application Received: 1/10/2018
Description of Action Installation of Well No. 7.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

Longacre Residence, 471 Harleysville Pike, Franconia Township, **Montgomery County**. Philip Getty, Boucher & James Inc., 1456 Ferry Road, Building 500, Doylestown, PA 18901 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with components of # 2 fuel oil which has contaminated groundwater on the site. The proposed future use of the property will be non-residential. The Notice of Intent to Remediate was published in the *Souderton Independent* on December 12, 2017.

533 West Baltimore Avenue, 533 West Baltimore Avenue, Clifton Heights, **Delaware County**. Jeffrey T. Bauer, Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Jared Christian, Whitestone Associates, Inc., 160 Manor Drive, Suite 220, Chalfont, PA 18914 submitted a Notice of Intent to Remediate. The Notice of Intent to Remediate stated that soil and groundwater at the site was found to be impacted by a release from a former heating oil tank. The continued future use of the property will be commercial. The Notice of Intent to Remediate was published in the *Daily Times* and *Sunday Times* on December 07, 2017.

Manayunk Station, 59 Levering Avenue, City of Philadelphia, **Philadelphia County**. Toby Kessler, Gilmore & Associates, Inc., 65 East Butler Avenue, Suite 100, New Britain, PA 18901 on behalf of Peter Lyng, Gilmore & Associates, Inc., 65 East Butler Avenue, Suite 100, New Britain, PA 18901 submitted a Notice of Intent to Remediate. Historic fill along the southern property boundary has been impacted by lead. The future use of the subject property is proposed to be a storage facility. The Notice of Intent to Remediate was published in *The Review* on December 27, 2017.

USPS King of Prussia, 190 Town Center Road, Upper Merion Township, **Montgomery County**. Kenneth Kim, JK Environmental Services, LLC, P.O. Box 509, Lafayette Hill, PA 19444 on behalf of Peter Karakelian, 190 Town Center, Inc., 444 Egypt Road, Norristown, PA 19403 submitted a Notice of Intent to Remediate. Soil at the site has been impacted with petroleum hydrocarbons. The future intended use of the property is nonresidential. The Notice of Intent to Remediate was published in the *Times Herald* on December 8, 2017.

3222-3258 H Street, 3222-3258 H Street, City of Philadelphia, **Philadelphia County**. Angelo Waters, Urban Engineers, Inc., 530 Walnut Street, Philadelphia, PA 19106 on behalf of Susan Post, Esperanza Health Center,

4417 North 6th Street, Philadelphia, PA 19140 submitted a Notice of Intent to Remediate. The soil contaminants onsite include some polycyclic aromatic hydrocarbons, lead and cadmium. Esperanza Health Center intends to redevelop the site into a health and wellness center for their patients and the community. The Notice of Intent to Remediate was published in the *Philadelphia Weekly* on December 7, 2017.

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

Robert Slivka Residence, 9587 Jacktown Road, Lower Mount Bethel Township, **Northampton County**. Trimpi Associates, 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance, PO Box 106169, Atlanta, GA 30348-6169, submitted a Notice of Intent to Remediate. Soil and groundwater were contaminated as the result of a release of # 2 Fuel Oil from an aboveground storage tank. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Express Times* on January 13, 2018.

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

Bedford PA Industrial Property, 550 Sunnyside Road, Bedford, PA 15522, Bedford Township, **Bedford County**. Civil and Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, and ETS Environmental & Associates, LLC, 204 Dearborn Court, Suite 124, Geneva, IL 60134, on behalf of Agracel, Inc., 2201 Willenberg Street, Effingham, IL 62401, and Ben Goldfield, 550 Sunnyside Road LLC, 630 Freedom Business Center Drive, Suite 212, King of Prussia, PA 19406, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with VOCs from historical operations and closed USTs. The site will be remediated to the Site Specific Standard. Future use of the site will be nonresidential. The Notice of Intent to Remediate was published in the *Bedford Gazette* on January 17, 2018.

Lancaster's Northwest Gateway/Norwest Drainage Area, 1039 Harrisburg Pike, Lancaster, PA, 17603, Manheim Township, **Lancaster County**. ARM Group, Inc., 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033, on behalf of Facilities Planning and Capital Projects, P.O. Box 3003, Lancaster, PA 17603, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with used motor oil. The site will be remediated to the Residential Statewide Health Standard. Future use of the site is to be used as a parking lot. The Notice of Intent to Remediate was published in the *LNP* on January 10, 2018.

Sunoco Pipeline Release/AmeriGas Propane Property, South Heidelberg Township, **Berks County**. Groundwater and Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, on behalf of Energy Transfer Partners, 100 Green Street, Marcus Hook, PA 19061, and AmeriGas Propane, L.P., 460 North Gulph Road, King of Prussia, PA 19406, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with unleaded gasoline and diesel fuel. The site will be remediated to the Site Specific and Nonresidential Statewide Health Standards. Future use of the site will be non-residential. The Notice of Intent to Remediate was published in the *Reading Eagle* on November 16, 2017.

Joyce Crouse Property, 1110 Table Rock Road, Gettysburg, PA 17325, Cumberland Township, **Adams**

County. P. Joseph Lehman Consulting Engineers, 117 Olde Farm Office Road, Suite 113, Altoona, PA 16635, on behalf of Joyce Crouse, 1110 Table Rock Road, Gettysburg, PA 17325, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with unleaded gasoline. The site will be remediated to the Residential Statewide Health Standard. Future use of the site is residential. The Notice of Intent to Remediate was published in the *Gettysburg Times* on January 13, 2018.

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., 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 the permit would authorize an increase in waste stored onsite from 57 tons to 2011 tons and changes to the layout of the facility. The modification was received by PA DEP's Central Office on September 14, 2016.

Persons interested in reviewing the permit may contact Chris Solloway, Permits Section Chief, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Application No. WMGR129SW001. PADEP—Bureau of Abandoned Mine Reclamation, 288 Industrial Park Road, Ebensburg, PA 15931. A Determination of Applicability request for coverage under General Permit WMGR129 to beneficially use alkaline clay byproduct of bauxite ore as a soil additive for reclamation of acidic coal refuse for the Black Dog Hollow Abandoned Mine Reclamation Project located in East Bethlehem Township, **Washington County**. The application was received by the Department on January 23, 2018 and deemed administratively complete by the Regional Office on January 31, 2018.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation

to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

PLAN APPROVALS

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

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

Contact: Norman Frederick, P.E., Environmental Engineer Manager—Telephone: 570-826-2409.

13-00001A: American Zinc Recycling (AZR) (900 Delaware Avenue, Palmerton, PA 18071) for installation of a new baghouse that will control emissions from the Facilities material handling building in order to improve industrial hygiene conditions inside the building at their facility in Palmerton Borough, **Carbon County**.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act 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.

15-0027L: Johnson Matthey, Inc. (456 Devon Park Drive, Wayne, PA 19087) for re-routing inlet flow of Source ID C014 to Source ID C013C—Dust Collector at their facility in Tredyffrin Township, **Chester County**. This project will have negligible impact on the facility PM emissions and will not trigger applicability to the Federal PSD regulations or PADEP's NSR regulations. The plan approval will include all applicable monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

31-03037A: Superior Huntingdon Composites, LLC (1200 Susquehanna Avenue, Huntingdon, PA 16652) to issue a Plan Approval to install seven (7) fiberglass mat forming stations at the facility in Huntingdon Borough, **Huntingdon County**. The project emissions are estimated 0.028 ton of PM₁₀, 0.30 ton of CO, 0.176 ton of NO_x, 0.002 ton of SO_x, and 36.00 tons of VOC. The Plan Approval will include work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including

the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 25 Pa. Code § 123.13. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into a State Only Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

22-03099A: The Hershey Company (19 East Chocolate Avenue, Hershey, PA 17033) at the facility located in Derry Township, **Dauphin County**, for the installation of a 1.2 MGD industrial wastewater treatment plant, one (1) 1,153 HP Dresser-Rand SFGLD 480 digester gas-fired combined heat and power (CHP) engine, one (1) 0.399 MMBtu/hr Lochinvar KBN400 natural fired boiler, and one (1) Varec Biogas 244ESC1400013R 210 scfm enclosed flare. The 4-stroke lean-burn non-emergency RICE will be equipped with a CO oxidation catalyst and a genset rated at 800 kW. The enclosed flare will combust the digester gas when the CHP system is not operating i.e. maintenance shutdown. Expected emissions from the project are estimated to be 5.12 tpy CO, 5.38 tpy NO_x, 0.55 tpy PM₁₀/PM_{2.5}, 0.80 tpy SO_x, 2.56 tpy VOC, and 4.60 tpy of a single HAP (formaldehyde). DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, 25 Pa. Code §§ 123.13 and 123.21, 40 CFR 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines and 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into an operating permit pursuant to the provisions of 25 Pa. Chapter 127.

28-05047A: Johnson Controls, Inc. (100 Cumberland Valley Avenue, Waynesboro, PA 17268) for the construction of a new coating booth at the Waynesboro facility located in Waynesboro Borough, **Franklin County**. The expected potential increases in facility emissions as a result of the changes proposed are: 15 tons per year of VOCs and 5.3 tons per year of HAPs. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 25 Pa. Code § 129.52d. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the

plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

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

10-284H: Seneca Landfill Inc. (PO Box 1080, Mars, PA 16046), The Department intends to issue a plan approval to Seneca Landfill, Inc. for their construction and initial operation of two 1,966 bhp landfill/natural gas fired electrical generator engines manufactured by GE Jenbacher model JGS420. This is an existing Title V facility in Jackson and Lancaster Townships, **Butler County**. The facility is located at 421 Hartmann Road (Jackson Township entrance), 40° 48' 42" N, 80° 04' 44" W. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit (10-00284) through an administrative amendment at a later date.

This application was reviewed to evaluate the project's incorporation of Best Available Technology. Emissions from the sources will be controlled through combustion technology without post combustion oxidative technology due to siloxane in the fuel.

The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Hour meters will be installed on the engines and operating hours will be recorded in a log. The engines will be operated and maintained as prescribed by the manufacturer. The manufacturer's maintenance and operation literature will be kept onsite. All maintenance will be recorded in a log. Compliance with the emission restrictions of this plan approval will be demonstrated through stack testing. Each engine is restricted to 8,000 hours of total operation occurring in any consecutive 12 month period.

It is estimated that the potential to emit emission rate increases from the facility will total: 15.15 tpy of NMHC, 94.96 tpy of CO, 20.50 tpy of NO_x, and 7.12 tpy of HCHO. Emissions from the engines will be restricted to the following: [NO_x: 0.54 g/bhp-hr, 2.34 lb/hr, 9.36 tpy; CO: 2.50 g/bhp-hr, 10.84 lb/hr, 43.35 tpy; NMHC: 0.40 g/bhp-hr, 1.73 lb/hr, 6.93 tpy; HCHO: 0.21 g/bhp-hr, 0.89 lb/hr, 3.56 tpy].

Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [10-284H: Seneca Landfill, Inc.] and a concise

statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric A. Gustafson, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6411.

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

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

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

AMS IP17-000275: Riverside Materials Inc. (2870 E. Allegheny, Philadelphia, PA 19134) for the installation of a 770,000 tons per year (tpy) (350 tons per hour (tph)) Drum Hot Mix Asphalt (DHMA) plant in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources includes one (1) 108 MMBtu/hr Counter Flow Drum firing natural gas a primary fuel and No. 2 Oil as backup fuel, one (1) 54,000 ACFM Square Knock-out Box (Cyclone), one (1) 54,000 ACFM Reverse Bag Pulse Baghouse, one (1) 2 MMBtu/hr Heater that burns natural gas as primary fuel and No. 2 Oil as backup fuel, Screen Decks, Cold Feed Bins, Aggregate Weigh Conveyor, Recycled Asphalt Material Weigh Conveyor, Aggregate Collecting Conveyor, Recycle Asphalt Bin, Cold Feed Bin Collecting Conveyor, three (3) 29,000 gallons Asphalt Cement Tanks, one (1) 20,000 gallons No. 2 Oil Storage Tank, three (3) 200 tons Hot Mix Asphalt Storage Silos, and one (1) 82 tons Dust Silo. The facility will be limited to 2,200 operating hours per year. There will be potential Nitrogen Oxides (NO_x) emissions of 11.95 tpy, Total Particulate Matter (PM) emissions of 14.01 tpy, Total PM less than 10 microns (PM₁₀) emissions of 10.69 tpy, Volatile Organic Compound (VOC) emissions of 12.3 tpy, Carbon Monoxide (CO) emissions of 50.1 tpy, and Sulfur Dioxide (SO₂) emissions of 1.3 tpy. The plan approval will contain operating, monitoring, recordkeeping, testing, and reporting requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

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

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

46-00090: Tube Methods, Inc. (416 Depot Street, Bridgeport, PA 19405), located in Bridgeport Borough, **Montgomery County**. This action is a renewal of the Title V Operating Permit, which was issued on March 31, 2012. This proposed renewal of the Title V Operating permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The permit includes monitoring, recordkeeping and re-

porting requirements designed to keep the facility operating within all applicable air quality requirements.

Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

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

46-00098: Edon Corporation (1160 Eason Road, Horsham, PA 19044) for operation of spray booths at a manufacturing facility located in Horsham Township, **Montgomery County**. The permit is for a non-Title V (State only) facility. The facility is classified as a Synthetic Minor for Volatile Organic Compound (VOC) emissions and Hazardous Air Pollutant (HAP) emissions. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00022: Arkema, Inc. (900 1st Ave., King of Prussia, PA 19406), for renewal of a State Only Operating Permit in Upper Merion Township, **Montgomery County**. The facility operates two (2) natural gas-fired boilers, three (3) emergency electric generators (2 diesel, 1 natural gas), and three (3) pilot plants for use in product development and research. Two of the pilot plants are controlled by a thermal oxidizer. Arkema, Inc. is categorized as a synthetic minor facility for NO_x emissions with a facility-wide limit of 16.41 tons per year. The permit includes monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

15-00082: Downingtown Area School District (445 Manor Avenue, Downingtown, PA 19335) in Downingtown Borough, **Chester County**, for operation of six (6) boilers which provide heat to the campus buildings and three (3) emergency generators. This action is a renewal of the State Only Operating Permit (Synthetic Minor). The renewal contains all applicable monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00161: Sanatoga Asphalt (H&K Group, Inc.) (394 South Sanatoga Road, Pottstown, PA 19464-3148), for the renewal of a State Only, Synthetic Minor Operating Permit in Lower Pottsgrove Township, **Montgomery County**. Sanatoga Asphalt operates an Asphalt Plant at this site. There have been no modifications to the facility since the last renewal. The facility maintains a synthetic minor operating status by maintaining total NO_x emissions to less than 9.30 tons per year. The renewed permit includes testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, State, and Federal air quality requirements.

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

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

36-05115: MGS Inc. (178 Muddy Creek Church Rd, Denver, PA 17517) for operation of sources to fabricate specialty equipment trailers located in East Cocalico Township, **Lancaster County**. The facility 2016 emissions were 6.22 tons of VOCs, and 0.35 ton of HAPs. The

Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 40 CFR Part 63 Subpart HHHHHH—National Emission Standards for Hazardous Air Pollutants Area Source Standards for Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources.

67-05062: Gerard Daniel Worldwide (34 Barnhart Drive, Hanover, PA 17331) to issue a State Only Operating Permit for the Hanover Keystone Facility located in Hanover Borough, **York County**. The actual emissions from the facility in 2016 year are estimated at 4.18 tons of VOCs and less than one ton each of NO_x, PM₁₀, CO, SO_x and HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52d—control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings, 25 Pa. Code § 129.63—degreasing operations, and 25 Pa. Code § 129.77—control of emissions from the use or application of adhesives, sealants, primers and solvents.

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

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

17-00002: Dominion Transmission, Inc. (5000 Dominion Boulevard Glen Allen, VA 23060-3308) for renewal of the State Only Operating Permit for their Helvetia Station facility located in Brady Township, **Clearfield County**. The facility is currently operating under NMOP 17-00002. The facility's main sources include one natural-gas-fired 330 bhp Ingersoll Rand model SVG-6BS engine (Source ID 101) and one natural-gas-fired Black, Silvals & Bryson model 623432 glycol dehy system equipped with a J.W. Williams reboiler equipped with a 0.2 MMBtu/hr FlameCo model SP12-6 reboiler burner (Source ID P115). The facility has potential emissions of 5.14 tons per year of carbon monoxide, 41.74 tons per year of nitrogen oxides, 0.01 ton per year of sulfur oxides, 0.65 ton per year of particulate matter with an aerodynamic diameter of less than 10 microns, 0.65 ton per year of particulate matter with an aerodynamic diameter of less than 2.5 microns, 6.46 tons per year of volatile organic compounds, 1.34 ton per year of total hazardous air pollutants (HAPs), and 1,709 tons per year of carbon dioxide equivalents (greenhouse gases). Dominion Transmission removed the tanks that were incorporated into Source ID P204. This source has been removed from the permit. The emission restrictions, testing, monitoring, recordkeeping, reporting and work practice conditions of the NMOP have been derived from the applicable requirements of 40 CFR Part 63, and 25 Pa. Code Chapters 121—145 to ensure the facility complies with all applicable air quality regulations. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

49-00025: Pennsylvania Department of Corrections (PO Box 598, Camp Hill, PA 17001-0598) for the Coal Township State Correctional Institute located in

Coal Township, **Northumberland County**. The facility is currently operating under SMOP 49-00025. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential annual emissions: 29.09 tons of carbon monoxide; 62.49 tons of nitrogen oxide; 20.44 tons of sulfur oxide; 13.69 tons of particulate matter less than 10 micron; 1.29 ton of volatile organic compounds and 70,287 tons of greenhouse gases (carbon dioxide equivalent). The operating permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable Federal and State air quality regulations. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Northcentral Regional Office at 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointment for scheduling a review must be made by calling 570-327-0550.

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

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

65-00962: CCF Industries, Inc. (190 State Route 66, Apollo, PA 15613) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to CCF Industries, Inc. to authorize the manufacturing operation of their wooden dovetail drawers for sale to custom woodshops located in Washington Township, **Westmoreland County**.

The facility consists of Chop Saw, 2 Straight Line saws, Planer, Sander, Beam Saw, Edge bander, Edge bander, voorewood (top edge machine), 2 dovetail machines, down bore machine, 4 Saw stops (only 2 of these are in use currently), Drawer Sander, Custom Department (CNC, small sanders), Notch and bore machine and UV finish line, paint and coatings application, general facilities heating and a dust collector. Annual potential emissions were estimated that the particulate emission will not exceed 2.0 tpy from the facility; that VOC emissions will not exceed 9.8 tpy; and that HAP emissions will not exceed 0.1 tpy. The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (65-00962) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

CCF Industries State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive,

Pittsburgh, PA 15222. To request a review of the CCF Industries State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Thomas Kaminski at thkaminski@pa.gov or 412.442.4097.

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

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

Contact: Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6131.

42-00323: Advanced Fiberglass Services, Incorporated (80 Canal Street, Sharpsville, PA 16150-2201). The Department intends to issue a renewal of the State Only Operating Permit for the custom fiberglass fabrication facility. The facility is a Natural Minor. The facility is located in Sharpsville Borough, **Mercer County**. The primary source is custom fabrication operations using a manual layup process. The facility is restricted to less than 9.9 TPY of styrene emissions based on a 12-month rolling sum. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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 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: Norman Frederick, P.E., Environmental Engineer Manager—Telephone: 570-826-2409.

45-00036A: Pocono Shredding LLC (2213 Shafer Road, Stroudsburg, PA 18360) for the construction and operation of metal shredding operations at their Metal Shredding facility in Hamilton Township, **Monroe County**.

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 Pocono Shredding LLC (2213 Shafer Road, Stroudsburg, PA 18360) at their Metal Shredding facility in Hamilton Township, Monroe County. This Plan Approval No. 45-00036A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 45-00036A is for the installation and operation of a Metal shredding process controlled by water sprays. 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.: 45-00036A 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.

48-00099B: CAP Glass Allentown LLC (799 Smith Lane, Northampton, PA 18067) 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 CAP Glass Allentown LLC (799 Smith Lane, Northampton, PA 18067) for the facility located in Northampton Borough, **Northampton County**. This Plan Approval No. 48-00099B will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 48-00099B is for the installation of glass sorting and processing equipment along with diesel powered engines. Particulate emissions will not exceed 0.02 grain/dscf. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. Emissions will be controlled by the use of baghouses. 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. 48-00099B 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 18711, Phone 570-826-2511 within 30 days after publication date.

Unimac KPS, LLC (1001 Moosic Road, Old Forge, PA 18518) 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 Unimac KPS, LLC (1001 Moosic Road, Old Forge, PA 18518) for their facility located in Old Forge Borough, **Luzerne County**. This Plan Approval No. 35-00072A will be incorporated into a State Only Permit through an administrative amendment at a later date.

Plan Approval No. 35-00072A is for the re-activation and operation of four (4) flexographic printing presses with dryers. VOC emissions from the plant will be under 50 TPY, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. The facility is subject to 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) requirements. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous 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 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.: 35-00072A 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 18711, Phone 570-826-2511 within 30 days after publication date.

Sunlight Crematory of Wilkes-Barre LLC (628C Nanticoke Street, Hanover Twp., PA 18706) 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 Sunlight Crematory of Wilkes-Barre LLC (628C Nanticoke Street, Hanover Twp., PA 18706) for their facility located in Hanover Twp., **Luzerne County**. This Plan Approval No. 40-00125B will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-00125B is for the installation and operation of an additional human cremators at the site. This facility is a Non-Title V facility.

Before charging the unit, the temperature at the exit of the secondary (or last) chamber shall achieve 1,800° F or higher and be maintained throughout the cremation cycle. Particulate matter emissions from each cremation unit shall not exceed 0.08 gr/dscf, corrected to 7% oxygen. The company shall comply with 123.41 for opacity. The company will operate the sources and maintain the system in accordance with the good engineering practices to assure proper operation of the system. 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.: 40-00125B 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 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 Returned

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

17743702 and NPDES No. PA0215490. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Lady Jane Plant in Huston Township, **Clearfield County** and related NPDES Permit to expand the permit area and add two NPDES outfalls. Coal Refuse Disposal Support Acres Proposed 50.5, Coal Refuse Disposal Acres Proposed 43.1. Receiving Streams: Unnamed Tributaries to Moose Run, classified for the following use: CWF. The application was considered administratively complete on June 11, 2013. Application received May 21, 2012. Application returned January 26, 2018.

Coal Applications Received

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

30841312 and NPDES No. PA0013790. The Monongalia County Coal Company, (46226 National Road, St. Clairsville, OH 43950). To revise the permit for the Monongalia County Mine in Gilmore and Wayne Townships, **Greene County** and related NPDES Permit for installation of fourteen (14) degasification and CCR boreholes in 9W and 8W Panels. Surface Acres Proposed 22.4. No additional discharges. The application was considered administratively complete on January 22, 2018. Application received October 6, 2017.

33971301 and NPDES No. PA0215031. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the NPDES Permit for the Dora No. 8 Mine in Perry Township, **Jefferson County** for reclamation only. No additional discharges. The application was

considered administratively complete on January 24, 2018. Application received July 27, 2017.

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

Permit No. 56140102 and NPDES No. PA0269425, Hoffman Mining Inc., 509 15th Street, Windber, PA 15963, commencement, operation and restoration of a bituminous surface & auger mine to change the land use from Woodland to Unmanaged Natural Habitat in Shade Township, **Somerset County**, affecting 141.1 acres. Receiving streams: unnamed tributary to Oven Run to Stonycreek River classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is at Hooversville, PA on Stonycreek River. Application received: January 17, 2018.

Permit No. 56090108 and NPDES No. PA0262803, Hoffman Mining Inc., 509 15th Street, Windber, PA 15963, commencement, operation and restoration of a bituminous surface & auger mine to change the land use from Woodland to Unmanaged Natural Habitat in Shade Township, **Somerset County**, affecting 185.0 acres. Receiving streams: unnamed tributaries to and Dark Shade Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 17, 2018.

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

03120102 and NPDES Permit No. PA0252212. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Renewal application for reclamation only to an existing bituminous surface mine, located in Madison Township, **Armstrong County**, affecting 188.0 acres. Receiving streams: unnamed tributaries to the Allegheny River, classified for the following use: WWF. Allegheny Power water supply intake is within 10 miles downstream from the point of discharge. Renewal application received: January 25, 2018.

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

Permit No. 35180201. Carrier Coal Enterprises, (400 Mill Street, Dunmore, PA 18512), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Carbondale Township and Mayfield Borough, **Lackawanna County** affecting 98.0 acres, receiving stream: Powderly Creek, classified for the following uses: cold water and migratory fishes. Application received: November 14, 2017.

Coal Applications Withdrawn

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

Permit No. 49170201. Susquehanna Coal Company, (P.O. Box 27, Nanticoke, PA 18634), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Coal Township, **Northumberland County** affecting 44.5 acres, receiving stream: Coal Run. Application received: October 6, 2017. Application withdrawn: January 24, 2018.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

Permit No. 01180301 and NPDES No. PA0279617. Specialty Granules, LLC, 1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214, commencement, operation and restoration of a large noncoal (industrial minerals) operation in Hamiltonban Township, **Adams County**, affecting, 112.3 acres. Receiving streams: unnamed tributaries to/and Toms Creek classified for the following use: High Quality, Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 5, 2018.

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

30120601 and NPDES Permit No. PA0252263. Fayette Coal & Coke, Inc. (195 Enterprise Lane, Connellsville, PA 15423). NPDES renewal application for continued treatment to an existing large noncoal surface mine, located in Monongahela Township, **Greene County**, affecting 52.5 acres. Receiving streams: unnamed tributaries to Little Whiteley Creek, Goose Run and Little Whiteley Creek, classified for the following use: WWF. Carmichaels Water Authority and SW PA Water Authority intakes are within 10 miles downstream from the point of discharge. Renewal application received: January 25, 2018.

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

Permit No. 7975SM2A1C11 and NPDES No. PA0613151. H & K Group, Inc., (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Plumstead Township, **Bucks County** affecting 13.5 acres, receiving stream: Geddes Run to Tohickon Run, classified for the following use: cold water fishes. Application received: January 19, 2018.

Permit No. 58920301C3 and NPDES No. PA0595845. H & K Group, Inc., (P.O. Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in New Milford Township, **Susquehanna County** affecting 131.8 acres, receiving stream: Beaver Creek, classified for the following use: HQ—cold water fishes. Application received: January 19, 2018.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

* The parameter is applicable at all times.

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

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

Effluent Limits for Noncoal Mining Activities

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

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

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

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

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

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

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

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

Coal NPDES Draft Permits

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

NPDES No. PA0249122 (Mining Permit No. 56020101), Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, renewal of an NPDES permit for surface coal mining in Jenner Township, **Somerset County**, affecting 57.3 acres. Receiving stream: unnamed tributary to Roaring Run, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: October 16, 2017.

The following outfall discharges to unnamed tributary to Roaring Run:

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

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

<i>Outfalls: (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

NPDES No. PA0263273 (Mining Permit No. 56110106), Wilson Creek Energy, LLC, 1576 Stoystown Road, Friedens, PA 15541, surface mine permit renewal application for a bituminous surface mine in Lincoln Township, **Somerset County**, affecting 107.7 acres. Receiving Stream: unnamed tributary to Quemahoning Creek, classified for the following use: cold water fishes. The receiving stream is included in the Kiski-Conemaugh TMDL. Application received: December 15, 2017.

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

The following outfalls discharge to unnamed tributary to Quemahoning Creek:

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

The following stormwater outfalls discharge to unnamed tributary to Quemahoning Creek:

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

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

NPDES No. PA0259268 (Permit No. 33120102). Original Fuels, Inc. (P.O. Box 343, Punxsutawney, PA 15767) Renewal of an existing NPDES permit for a bituminous surface mine in Perry Township, **Jefferson County**, affecting 232.0 acres. Receiving streams: Unnamed tributaries to Rose Run and Rose Run, and unnamed tributaries to Mahoning Creek, both classified for the following uses: CWF. TMDL: None. Application received: December 21, 2017.

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

The following outfalls discharge to unnamed tributaries to Rose Run and Rose Run, unnamed tributaries to Mahoning Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TB	N
TC	N
TE	N
TG	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35	70	90

¹ The parameter is applicable at all times.

The following outfalls discharge to unnamed tributaries to Rose Run and Rose Run, unnamed tributaries to Mahoning Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	N
B	N
C	N
D	N
E	N
F	N

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity ¹				
Total Settleable Solids (ml/l)				0.5

NPDES No. PA0258547 (Permit No. 33080105), Original Fuels, Inc. (P.O. Box 343, Punxsutawney, PA 15767) Renewal of an existing NPDES permit for a bituminous surface mine in Perry & Young Townships, **Jefferson County**, affecting 435.4 acres. Receiving streams: Unnamed tributaries to Mahoning Creek, classified for the following uses: CWF. TMDL: None. Application received: December 21, 2017.

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

The following outfalls discharge to unnamed tributaries to Mahoning Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TC	N
TJ	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35	70	90

¹ The parameter is applicable at all times.

The following outfalls discharge to unnamed tributaries to Mahoning Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	N
B	N
C	N
I	N
J	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity ¹				
Total Settleable Solids (ml/l)				0.5

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

NPDES No. PA0278238 (Mining permit no. 65150101), Coal Loaders, Inc., 210 E. Main Street, P.O. Box 556, Ligonier, PA 15655, new NPDES permit for a bituminous surface mine in Ligonier Township, **Westmoreland County**, affecting 205.9 acres. Receiving stream(s): Unnamed tributaries to Coalpit Run, classified for the following use: HQ-CWF; and Unnamed tributaries to Mill Creek, classified for the following use: CWF. This receiving stream is included in the Kiski-Conemaugh TMDL.

Application received: April 3, 2017.

The following outfalls will be using a non-discharge alternative (all treatment facilities) and a combination of non-discharge alternative and non-degrading discharges (all sediment ponds):

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

NOTICES

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
006	Y	Sediment Pond
007	Y	Mine Drainage Treatment
008	Y	Mine Drainage Treatment
009	Y	Mine Drainage Treatment
010	Y	Mine Drainage Treatment
011	Y	Mine Drainage Treatment
012	Y	Mine Drainage Treatment

The proposed effluent limits for the previously listed outfalls prior to entering the infiltration gallery are as follows:

<i>Outfalls: Parameter</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.7
Manganese (mg/l)	2.5
Aluminum (mg/l)	0.75
Total Suspended Solids (mg/l)	90
Osmotic Pressure (mOsm/kg)	50
Sulfates (mg/L)	Monitor & Report
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.	
Alkalinity must exceed acidity at all times.	

The following stormwater outfalls discharge to UNTs to Coalpit Run and UNTs to Mill Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
013	Y	Sediment Pond Emergency Spillways
014	Y	
015	Y	
016	Y	
017	Y	
018	Y	

The proposed effluent limits for the previously listed outfalls are as follows for precipitation events exceeding the 10-year/24 hour storm event. There will be no discharges from the emergency spillways for any storm event not exceeding the 10-year/24 hour storm event.

<i>Outfalls: Parameter</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.7
Total Settable Solids (ml/l)	0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.	
Alkalinity must exceed acidity at all times.	

NPDES No. PA0617661 (Mining permit no. 02823014), Settlers Ridge, L.P., 535 Madison Avenue, 23rd Floor, New York, NY 10022, renewal NPDES permit for a bituminous surface mine in Robinson Township, **Allegheny County**, affecting 0.4 acre. Receiving stream(s): UNT to Campbells Run, classified for the following use(s): WWF. This receiving stream is included in the Chartiers Creek TMDL. Application received: June 4, 2014.

a. The following treated wastewater outfalls discharge to UNT to Campbells Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	N	Mine Drainage Treatment

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.5
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35	70	90
Osmotic Pressure (mOsm/kg)		Monitor and Report	
Sulfates (mg/L)		Monitor and Report	
Specific Conductivity (microhms/cm)		Monitor and Report	
Total Nickel (mg/L)		Monitor and Report	
Total Lead (mg/L)		Monitor and Report	
Total Selenium (mg/L)		Monitor and Report	
Alkalinity (mg/L)		Monitor and Report	
Acidity (mg/L)		Monitor and Report	
pH (S.U.)		Monitor and Report	
Flow (gpm)		Monitor and Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

Noncoal NPDES Draft Permits

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

NPDES Permit No. PA0225681 on Surface Mining Permit No. 7775SM10. Lehigh Cement Co., LLC, (7660 Imperial Way, Allentown, PA 18106), renewal of an NPDES Permit for a limestone quarry operation in Maidencreek Township, **Berks County**, affecting 405.0 acres. Receiving stream: Maiden Creek, classified for the following use: warm water fishes (TMDL for Sediment and Phosphorus). Application received: January 24, 2017.

The following outfall discharges to Maiden Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	MDT/Groundwater/Pit Sump

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)		6.0		
pH ¹ (S.U.)	6.0			9.0
Net Alkalinity ¹ (mg/l)	0.0			
Total Suspended Solids (lbs/d)			400.0	800.0
Total Dissolved Solids (mg/l)			Monitor & Report	
Chloride (mg/l)			Monitor & Report	
Total Sulfates (mg/l)			Monitor & Report	
Total Phosphorus (mg/l)			Monitor & Report	
Chromium (mg/l)			Monitor & Report	

¹ The parameter is applicable at all times.

NPDES Permit No. PA0225771 on Surface Mining Permit Nos. 64730304 and 40000301. Hanson Aggregates PA, LLC, (7660 Imperial Way, Allentown, PA 18195), renewal of an NPDES Permit for a sandstone quarry operation in Dennison Township, **Luzerne County**, affecting 147.5 acres. Receiving stream: Wright Creek-Lehigh River Watershed, classified for the following uses: HQ—cold water and migratory fishes. Application received: September 26, 2017.

Non-Discharge BMP's are in effect to contain all runoff on-site with no discharge.

NPDES Permit No. PA0225690 on Surface Mining Permit No. 7775SM6. Glen-Gery Corporation, (P.O. Box 7001, Reading, PA 19610), renewal of an NPDES Permit for a shale quarry operation in Perry Township, **Berks County**, affecting 115.0 acres. Receiving stream: unnamed tributary to Schuylkill River, classified for the following use: warm water fishes. Application received: December 4, 2017.

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

The following outfalls discharge to unnamed tributary to Schuylkill River.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	E & S
002	No	E & S

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Net Alkalinity (mg/L) ¹	0.0			
Total Suspended Solids (mg/L)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

NPDES Permit No. PA0595659 on Surface Mining Permit No. 7775SM9. Glen-Gery Corporation, (P.O. Box 7001, Reading, PA 19610), renewal of an NPDES Permit for a shale quarry operation in Perry Township, **Berks County**, affecting 225.0 acres. Receiving stream: unnamed tributary to Schuylkill River, classified for the following use: warm water fishes. Application received: December 1, 2017.

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

The following outfalls discharge to unnamed tributary to Schuylkill River.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	N	E & S
002	N	E & S
003	N	E & S
004	N	E & S
005	N	E & S

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

Parameter	Minimum	30-Day Average	Daily Maximum	Instantaneous Maximum
pH ¹ (S.U.)	6.0			9.0
Net Alkalinity (mg/L) ¹	0.0			
Total Iron (mg/L)		3.0	6.0	7.0
Total Suspended Solids (mg/L)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1162—West Pottsgrove Township, 980 Grosstown Road, Stowe, PA 19464, West Pottsgrove Township, **Montgomery County**; ACOE Philadelphia District.

To perform the following listed water obstruction and encroachment activities associated with the Murgia Park Project. To construct a paved trail and two pedestrian bridges for crossing Manatawny Creek. The proposed

project will have 2,600 square feet of temporary floodway impact. The project located in the floodplain.

The site is approximately at the intersection of Manatawny Creek Road and Sell Road. (Boyertown Lat. 40° 16' 1"; Long. 75° 40' 4.7").

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

E13-191 Xerxes Mangapit, 556 Kings Road, Yardley, PA 19067, Penn Forest Township, **Carbon County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 160 ft² floating wooden dock in Towamensing Lake (HQ-CWF, MF) with a 4-foot wide × 198-foot long elevated wooden gangway crossing of approximately 792 ft² of wetlands (EV). The project is located approximately 250 feet northwest of the intersection of "Henley Way" and "Holmes Way," on Lot C1463 of the Towamensing Trails Subdivision. (Pohopoco Mountain, PA Quadrangle Latitude: 40° 59' 30.2"; Longitude: -75° 34' 20.9") in Penn Forest Township, **Carbon County**.

E35-471 Theta Land Corporation, 400 Mill Street, Dunmore, PA 18512, in Roaring Brook Township, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a road crossing of a tributary to Stafford-Meadowbrook (HQ-CWF, MF) consisting of a 22'-9" long aluminum arch culvert with a span of 13'-1" and an underclearance of approximately 3'-11" and concrete headwalls. Also included in the construction are R-6 riprap depressed 1-foot below streambed elevation for scour protection.

(Olyphant, PA Quadrangle, Latitude: 41°22'52"; Longitude: -75°36'52"), Roaring Brook Township, Lackawanna County, U.S. Army Corps of Engineers, Baltimore District.

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

E02-1721-A1, PA Turnpike Commission, P.O. Box 67676, Harrisburg, PA 17106, Indiana Township, **Allegheny County**, ACOE Pittsburgh District.

The applicant is proposing to:

Amend Permit No. E02-1721, which authorized the PA Turnpike Commission to construct, operate, and maintain various water obstructions and encroachments associated with the widening and reconstruction of the Pennsylvania Turnpike (Interstate 76), between milepost (MP) 39.62 and MP 44.04, to:

Relocate 291 LF of Cedar Run (CWF) to facilitate replacement of a 745 foot long Mechanically Stabilized Earth (MSE) retaining wall, approximately 30 feet high,

with a 1:1 to a 1.5:1 reinforced slope in order to widen and elevate the existing highway.

The Mainline West Subproject was one (1) of eight (8) subprojects associated with a total reconstruction of a portion of the PA Turnpike, between MP 39 and 47, between the Butler Valley and Allegheny Valley Interchanges (a.k.a. the PTC 40-48 Project) in Indiana, West Deer, and Hampton Townships, Allegheny County. The structures and activities requiring authorization for this amendment are located near the intersection of Cedar Run Road and Gibsonia Road (Glenshaw, PA Quadrangle; Latitude: 40° 35' 18"; Longitude: -79° 53' 6"), and will permanently impact a total of approximately 291 LF of Cedar Run (CWF). Mitigation for the proposed impacts will be provided on-site through restoration of 291 LF of the relocated channel.

Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

E25-790, Auto Express Kia. Kia Dealership Development, in Summit Township, **Erie County**, ACOE Pittsburgh District (Erie South, PA Quadrangle N: 41° 1', 17"; W: -80°, 3', 13").

The applicant proposes to build a car dealership, the construction will result in the permanent fill of three Palustrine Emergent Wetlands (PEM) for a total permanent impact of 0.52 acre. The applicant is proposing to mitigate for the permanent conversion of the Palustrine Emergent Wetlands by constructing 0.6 acre on site.

E24-269FP Ridgway Borough, PO Box 149, Ridgway, PA 15853, NFIP Buyout—7 Penn Avenue, Ridgway Borough, **Elk County**, ACOE Pittsburgh District (Ridgway, PA Quadrangle N: 41.42147°; W: -78.73644°).

To remove two existing structures and restore property within the 100-year flood plain of the Clarion River at 7 Penn Avenue, Ridgway, PA. Subject property is a FEMA NFIP buyout.

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

E4129-115: NFG Midstream Trout Run, LLC, 1100 State Street, Erie, PA 16501, Gamble & Hepburn Townships, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) Two 12-inch gas pipelines and a timber mat bridge impacting 65 linear feet of an unnamed tributary to Mill Creek (WWF) and 748 square feet of adjacent palustrine emergent (PEM) wetland (Cogan Station, PA Quadrangle 41°20'24"N 77°00'54"W);

2) Two 12-inch gas pipelines and a timber mat bridge impacting 82 linear feet of unnamed tributaries to Mill Creek (WWF) and 435 square feet of adjacent palustrine scrub-shrub (PSS) wetland (Cogan Station, PA Quadrangle 41°20'37"N 77°00'51"W);

3) Two 12-inch gas pipelines and a timber mat bridge impacting 67 linear feet of an unnamed tributary to Mill Creek (WWF) (Cogan Station, PA Quadrangle 41°20'39"N 77°00'49"W).

The project will result in a total of 214 linear feet of stream impacts and 0.03 acre of wetland impacts all for the purpose of installing natural gas pipeline and temporary access roadway for Marcellus well development.

E5829-129: Middletown Township, Cabot Oil and Gas Corporation, 2000 Park Lane Drive, Suite 300,

Pittsburgh, PA 15275-1121; Middletown Township, Susquehanna County, **ACOE Baltimore District**.

To construct, operate, and maintain:

1) a permanent fill impacting 1,470 square feet (0.03 acre) of a palustrine emergent wetland (PEM) (Lawton, PA Quadrangle; Latitude: 41° 51' 04" N, Longitude: 76° 02' 51" W),

The well site project consists of constructing a well pad and associated supportive appurtenances within Middletown Township, Susquehanna County. The project will result in 1,470 square feet (0.03 acre) of permanent wetland impacts to produce Marcellus Shale natural gas for distribution.

E5829-128: Harford and Lenox Townships, Registry Marcellus Gas Gathering, LLC; 6051 Wallace Road Ext., 3rd Floor, Wexford, PA 15090; Harford and Lenox Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary floodway only encroachment impacting 4,924 square feet (0.11 acre) of floodway to an unnamed tributary of Millard Creek (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 41' 48", Longitude: -75° 43' 43"),

2) a temporary floodway only encroachment impacting 6 square feet (0.01 acre) of an unnamed tributary of Millard Creek (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 41' 48", Longitude: -75° 43' 44"),

3) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 32 lineal feet of an unnamed tributary of Millard Creek (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 41' 48", Longitude: -75° 43' 44"),

4) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 560 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 41' 49", Longitude: -75° 43' 45"),

5) a right-of-way only crossing impacting 431 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 41' 49", Longitude: -75° 43' 45"),

6) a temporary timber mat and right-of-way crossing impacting 1,090 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 41' 49", Longitude: -75° 43' 44"),

7) a temporary timber mat and right-of-way crossing impacting 1,270 square feet (0.03 acre) of floodway to an unnamed tributary of Millard Creek (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 41' 50", Longitude: -75° 43' 44"),

8) a temporary floodway right-of-way encroachment impacting 251 square feet (0.01 acre) of floodway to an unnamed tributary of Millard Creek (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 41' 50", Longitude: -75° 43' 44"),

9) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 309 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 06", Longitude: -75° 43' 20"),

10) a temporary timber mat and right-of-way crossing impacting 353 square feet (0.01 acre) of a palustrine

scrub-shrub wetlands (PSS) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 19"),

11) a temporary timber mat and right-of-way crossing impacting 809 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 18"),

12) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 4,099 square feet (0.09 acre) of a palustrine forested wetlands (PFO) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 17"),

13) a temporary timber mat and right-of-way crossing impacting 81 square feet (0.01 acre) of a palustrine forested wetlands (PFO) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 17"),

14) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 71 square feet (0.01 acre) of a palustrine forested wetlands (PFO) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 17"),

15) a temporary timber mat and right-of-way crossing impacting 5 square feet (0.01 acre) of floodway to an unnamed tributary of Tower Branch (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 16"),

16) a temporary timber mat and right-of-way crossing impacting 284 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 08"),

17) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 3,176 square feet (0.07 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 08"),

18) a temporary access road timber mat crossing impacting 960 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 08"),

19) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,273 square feet (0.05 acre) of a palustrine forested wetlands (PFO) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 12"),

20) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 67 square feet (0.01 acre) of a palustrine forested wetlands (PFO) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 11"),

21) a temporary timber mat and right-of-way crossing impacting 145 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 11"),

22) a temporary timber mat and right-of-way crossing impacting 156 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 11"),

23) a temporary timber mat and right-of-way crossing impacting 813 square feet (0.02 acre) of a palustrine forested wetlands (PFO) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 11"),

24) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 54

lineal feet of an unnamed tributary of Tower Branch (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 11"),

25) a temporary access road timber mat crossing impacting 16 lineal feet of an unnamed tributary of Tower Branch (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 11"),

26) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 45 lineal feet of an unnamed tributary of Tower Branch (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 06"),

27) a temporary timber mat and right-of-way crossing impacting 13 lineal feet of an unnamed tributary of Tower Branch (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 06"),

28) a temporary timber mat and right-of-way crossing impacting 21 lineal feet of an unnamed tributary of Tower Branch (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 08", Longitude: -75° 43' 04"),

29) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,432 square feet (0.03 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 43' 05"),

30) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 6,930 square feet (0.16 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 10", Longitude: -75° 43' 03"),

31) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,012 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 10", Longitude: -75° 43' 03"),

32) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 3,813 square feet (0.09 acre) of a palustrine scrub-shrub wetlands (PSS) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 11", Longitude: -75° 43' 02"),

33) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,087 square feet (0.16 acre) of a palustrine scrub-shrub wetlands (PSS) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 12", Longitude: -75° 43' 01"),

34) a temporary timber mat crossing impacting 812 square feet (0.02 acre) of a palustrine forested wetlands (PFO) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 14", Longitude: -75° 42' 58"),

35) a temporary floodway right-of-way encroachment impacting 5,385 square feet (0.12 acre) of an unnamed tributary of Tower Branch (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 14", Longitude: -75° 42' 55"),

36) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 621 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 17", Longitude: -75° 42' 40"),

37) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 662 square feet (0.02 acre) of a palustrine scrub-shrub wetlands (PSS) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 17", Longitude: -75° 42' 41"),

38) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,606 square feet (0.04 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 20", Longitude: -75° 42' 37"),

39) a temporary timber mat and right-of-way crossing impacting 89 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 22", Longitude: -75° 42' 36"),

40) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 4,278 square feet (0.10 acre) of a palustrine forested wetlands (PFO) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 26", Longitude: -75° 42' 34"),

41) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 313 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 26", Longitude: -75° 42' 34"),

42) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,827 square feet (0.04 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 31", Longitude: -75° 42' 31"),

43) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,658 square feet (0.06 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 35", Longitude: -75° 42' 27"),

44) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 107 lineal feet of an unnamed tributary of Tower Branch (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 36", Longitude: -75° 42' 26"),

45) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 56 lineal feet of Tower Branch (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 36", Longitude: -75° 42' 25"),

46) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 46 lineal feet of an unnamed tributary of Tower Branch (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 36", Longitude: -75° 42' 24"),

47) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 127 lineal feet of an unnamed tributary of Partners Creek (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 40", Longitude: -75° 42' 13"),

48) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,510 square feet (0.13 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 37", Longitude: -75° 42' 05"),

49) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 821 square feet (0.02 acre) of a palustrine forested wetlands (PFO) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 36", Longitude: -75° 42' 04"),

50) a temporary timber mat access road crossing impacting 687 square feet (0.02 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 40", Longitude: -75° 45' 59"),

51) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 41 lineal feet of Partners Creek (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 41", Longitude: -75° 41' 58"),

52) a temporary timber mat access road crossing impacting 30 lineal feet of Partners Creek (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 41", Longitude: -75° 41' 58"),

53) an 8-inch diameter steel natural gas gathering pipeline and a temporary timber mat crossing impacting 4 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 41", Longitude: -75° 41' 55"),

54) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,163 square feet (0.03 acre) of a palustrine forested wetlands (PFO) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 41", Longitude: -75° 41' 55"),

55) a temporary timber mat crossing impacting 368 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 41", Longitude: -75° 41' 59"),

56) a temporary timber mat crossing impacting 135 square feet (0.01 acre) of a palustrine scrub-shrub wetlands (PSS) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 42", Longitude: -75° 41' 59"),

57) a temporary timber mat crossing impacting 357 square feet (0.01 acre) of a palustrine scrub-shrub wetlands (PSS) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 43", Longitude: -75° 41' 57"),

58) a temporary timber mat crossing impacting 537 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) (Lenoxville, PA Quadrangle; Latitude: 41° 42' 43", Longitude: -75° 41' 57"),

59) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,111 square feet (0.05 acre) of a palustrine open water wetlands (POW) (Lenoxville, PA Quadrangle; Latitude: 41° 43' 27", Longitude: -75° 41' 33"),

60) an 8-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 70 lineal feet of Sterling Brook (CWF, MF) (Lenoxville, PA Quadrangle; Latitude: 41° 43' 28", Longitude: -75° 41' 32").

The natural gas gathering pipeline project consists of constructing approximately 4.1 miles of 8-inch steel natural gas gathering pipelines located Lenox Township, Susquehanna County. The project will result in 14,059 square feet (0.32 acre) of floodway only impacts, 667 lineal feet of temporary stream impacts, 31,192 square feet (0.72 acre) of emergent wetland impacts, and 12,407 square feet (0.28 acre) of scrub shrub impacts, 14,478 square feet (0.33 acre) of forested wetland impacts, and 2,111 square feet (0.05 acre) of open water wetland impacts to provide safe reliable conveyance of Marcellus Shale natural gas to market.

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

E50-266: New Bloomfield Fire Company, PO Box 22, New Bloomfield, PA 17068 in Bloomfield Borough, **Perry County**, U.S. Army Corps of Engineers Baltimore District.

To remove an existing stream enclosure and relocate and maintain it in two 49 inch × 33 inch parallel arch-pipe conduits, one 77 inch × 52 inch arch-pipe and three inlet boxes all depressed 6 inches impacting 205.3 linear feet of a UNT to Little Juniata Creek (CWF, MF) for the purpose of improving safety and relocating the existing structure. The project is located along South Carlisle Street (Latitude 40.417448, Longitude -77.185246) in Bloomfield Borough, Perry County.

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—691.101) 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

Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114324 (Sewage)	DeMorgan Acres MHP 1104 Dunbar Road Troy, PA 16947-8314	Bradford County Canton Township	Unnamed Tributary to Alba Creek (4-C)	Yes

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

<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>
PA0205656 (Industrial)	WTPS Dravosburg Terminal 702 Washington Avenue Dravosburg, PA 15034-1348	Allegheny County Dravosburg Borough	Monongahela River (19-C)	Yes
PA0028401 (Sewage)	Dravosburg Borough STP 320 Washington Avenue Dravosburg, PA 15034-1240	Allegheny County Dravosburg Borough	Monongahela River (19-C)	Yes
PA0026425 (Sewage)	Lincoln Road STP 12245 Frankstown Road Pittsburgh, PA 15235-3405	Allegheny County Penn Hills Township	Shades Run (18-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0046418 (Sewage)	Middleboro STP P.O. Box 189 McKean, PA 16426-0189	Erie County McKean Borough	Elk Creek (15-A)	Yes
PA0034061 (Sewage)	Goddard Park Vacationland Campground 867 Georgetown Road Sandy Lake, PA 16145-2525	Mercer County Deer Creek Township	Unnamed Tributary to Schofield Run (16-G)	Yes
PA0239861 (Sewage)	Cochranton Borough STP 109 E Adams Street P.O. Box 66 Cochranton, PA 16314-8603	Crawford County Cochranton Borough	French Creek (16-D)	Yes

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

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

NPDES Permit No. PA0255254, Industrial, SIC Code, **Indian Creek Valley Water Authority**, 2019 Indian Head Road, Indian Head, PA 15446-0486.

This proposed facility is located in Springfield Township, **Fayette County**.

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

NPDES Permit No. PA0026913, Sewage, SIC Code 4952, **Pennsylvania-American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033.

This existing facility is located in City of McKeesport, **Allegheny County**.

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

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

NPDES Permit No. PA0026271, Sewage, SIC Code 4952, **Meadville Area Sewer Authority Crawford County**, 1320 Park Avenue, Meadville, PA 16335-3114.

This existing facility is located in Meadville City, **Crawford County**.

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

NPDES Permit No. PA0265527, Sewage, SIC Code 4952, 8800, **William Crispen**, 233 Hall Road, Slippery Rock, PA 16057.

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

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

NPDES Permit No. PA0265454, Sewage, SIC Code 4952, 8800, **Walter Tecza**, 8620 Bargain Road, McKean, PA 16426.

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

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

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

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

WQM Permit No. WQG02011702, Sewage, **RAK-BLK Limited Partnership**, 601 Mason Dixon Road, Gettysburg, PA 17325.

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

Description of Proposed Action/Activity:

This General Permit approves the construction and operation of:

1) Sewer Extension and 1-Pump Station.

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. 1809401 A-1, Sewage, SIC Code 4952, **Pine Creek Municipal Authority Clinton County**, P.O. Box 608, Avis, PA 17721-0608.

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

Description of Proposed Action/Activity: Permit issued approving minor upgrades at the POTW.

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

WQM Permit No. 6374406 A-10, Sewage, **Canonsburg Houston Joint Authority**, 68 E Pike Street, Canonsburg, PA 15317-1375.

This existing facility is located in Cecil Township, **Washington County**.

Description of Proposed Action/Activity: Addition of sodium bisulfite to effluent stream to reduce TRC.

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

WQM Permit No. 6183401 A-2, Sewage, **Aqua Pennsylvania Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010-3402.

This existing facility is located in Emlenton Borough, **Venango County**.

Description of Proposed Action/Activity: Installation of improvements to Emlenton Area Sewage Treatment Plant.

WQM Permit No. 1017407, Sewage, **William Crispen**, 233 Hall Road, Slippery Rock, PA 16057.

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

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

WQM Permit No. 2517414, Sewage, **Walter Tecza**, 8620 Bargain Road, McKean, PA 16426.

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

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

V. NPDES Waiver Stormwater Discharges from MS4 Actions

The following waiver applications have been approved for a 5-year period. The Department is issuing waivers for the MS4s listed as follows instead of NPDES permit coverage.

Southcentral Regional Office: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Phone: 717.705.4800.

<i>NPDES Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s) / Use(s)</i>
PAG133589	Hellam Township York County 44 Walnut Springs Road York, PA 17046-9000	Hellam Township, York	Unnamed Tributary to Kreutz Creek, Unnamed Tributary of Kreutz Creek, Unnamed Tributary to Susquehanna River and Kreutz Creek/WWF and MF
PAG133622	Lancaster County 150 N Queen Street Suite 612 Lancaster, PA 17603-3994	Lancaster City, Lancaster	Conestoga River, Mill Creek, and Unnamed Tributary to Little Conestoga Creek/WWF and MF
PAG133605	PA State University 1031 Edgecomb Avenue York, PA 17403	Spring Garden Township, York	Unnamed Tributary to Codorus Creek/WWF and MF
PAG133745	Heidelberg Township Lebanon County P.O. Box 188 Schaefferstown, PA 17088	Heidelberg Township, Lebanon	Unnamed Tributary of Hammer Creek and Hammer Creek/CWF and MF

<i>NPDES Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG133618	Providence Township Lancaster County 200 Mount Airy Road New Providence, PA 17560-9781	Providence Township, Lancaster	Huber Run, Unnamed Tributary of Big Beaver Creek and Pequea Creek/WWF, TSF, CWF, and MF
PAG133724	Christiana Borough Lancaster County 10 West Slokom Avenue Christiana, PA 17509	Christiana Borough, Lancaster	Pine Creek, Williams Run and East Branch Octoraro Creek/TSF and MF
PAG133743	Conoy Township Lancaster County 211 Falmouth Road Bainbridge, PA 17502	Conoy Township, Lancaster	Unnamed Tributary to Susquehanna River and Conoy Creek/TSF, WWF, and MF
PAG133725	Richland Borough Lebanon County Five Pine Street Richland, PA 17087	Richland Borough, Lebanon	Mill Creek/TSF and MF
PAG133642	Dixon University 2986 N. 2nd Street Harrisburg, PA 17110-1201	Harrisburg City, Dauphin	Susquehanna River/WWF and MF

The following waiver applications have been approved for a 5-year period. The Department is issuing waivers for the MS4s listed as follows instead of NPDES permit coverage.

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

<i>NPDES Waiver No.</i>	<i>Applicant Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG136394	Brownsville Township 232 Brown Street Brownsville, PA 15417	Brownsville Township, Fayette	Unnamed Tributary of Redstone Creek/WWF
PAG136224	Dale Borough 277 David Street Johnstown, PA 15902-1704	Dale Borough, Cambria	Solomon Run and Unnamed Tributary to Stonycreek River/WWF and CWF
PAG136398	Mount Pleasant Township 31 McCarrell Road Hickory, PA 15340-1147	Mount Pleasant Township, Washington	Millers Run and Robinson Run/WWF

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

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

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>
PAD390035	CKS Glenlivet, LLC c/o Jay King, Jr. 16515 Pottsville Pike Ste A Hamburg, PA 19526	Heigh	Upper Macungie Twp	Iron Run (HQ-CWF, MF) UNT to Hassen Creek (HQ-CWF, MF)

Wayne Conservation District, 925 Court Street, Honesdale, PA 18431.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD640008	Wayne Economic Development Corporation 32 Commercial St Ste 1 Honesdale, PA 18431	Wayne	Sterling Twp	West Branch Wallenpaupack Creek (HQ-CWF, MF)

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Nathan Crawford, 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>
PAD060010 Issued	Sheetz, Inc. 351 Sheetz Way Claysburg, PA 16625	Berks	Cumru Township	Wyomissing Creek (HQ-CWF, MF)

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-02

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

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>
Catasauqua Borough Lehigh County	PAC390021	Lehigh-Northampton Airport Authority 3311 Airport Rd Allentown, PA 18109	UNT to Catasauqua Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
Hanover Twp Luzerne County	PAC400054	Mericle 2 Great Valley, LLC Stephen Maakestad 100 Baltimore Dr Wilkes-Barre, PA 18702	Garringer Creek (CWF, MF) Unnamed Tributary To Garringer Creek (CWF, MF)	Luzerne County Conservation District 570-674-7991
Bethlehem Twp Northampton County	PAC480034	Edward Nawrocki St. Luke's University Health Network 1872 Riverside Circle Easton, PA 18045	UNT to Lehigh River (CWF, MF) Lehigh River (WWF, MF)	Northampton County Conservation District 610-829-6276
Upper Nazareth Twp Northampton County	PAC480037	Nazareth Area School District 1 Education Plaza Nazareth, PA 18064	Shoeneck Creek (WWF, MF)	Northampton County Conservation District 610-829-6276

*Facility Location:
Municipality &
County*Lancaster Township
Butler CountyPermit No.
PAC100050*Applicant Name & Address*Lancaster Township
113 Kings Alley
Harmony, PA 16037*Receiving
Water/Use*

Scholars Run WWF

*Contact Office &
Phone No.*Butler County
Conservation District
122 McCune Drive
Butler, PA 16001
724-284-5270Banks Township
Carbon County
Hazle Township
Luzerne CountyPermit No.
PAC700001PA DEP
Bureau of Abandoned Mine
Reclamation
2 Public Square
Fifth Floor
Wilkes-Barre, PA
18701-0790Susquehanna River
(CWF)PA DEP
Bureau of Abandoned
Mine Reclamation
2 Public Square
Fifth Floor
Wilkes-Barre, PA
18701-0790
(570) 826-2371*General Permit Type—PAG-3**Facility Location:
Municipality &
County*Slippery Rock
Township
Butler CountyPermit No.
PAG038362*Applicant Name & Address*LKQ Northeast Inc.
3844 William Flynn Highway
Slippery Rock, PA 16057-2328*Receiving
Water/Use*Unnamed Tributary
to McDonald Run
and Unnamed
Tributary of
McDonald
Run—20-C*Contact Office &
Phone No.*DEP Northwest
Regional Office
Clean Water Program
230 Chestnut Street
Meadville, PA
16335-3481
814.332.6942*General Permit Type—PAG-12**Facility Location &
Municipality*Little Britain
Township
Lancaster CountyPermit No.
PA0266485*Applicant Name & Address*Scott Wagner
385 King Pen Road
Quarryville, PA 17566*Receiving
Water/Use*

Watershed 7-K

*Contact Office &
Phone No.*DEP—SCRO—CW
909 Elmerton Avenue
Harrisburg, PA 17110
717-705-4707Strasburg Township
Lancaster CountyPermit No.
PAG123868Phil Good
1259 Limestone Road
Lancaster, PA 17602

Watershed 7-K

DEP—SCRO—CW
909 Elmerton Avenue
Harrisburg, PA 17110
717-705-4707Swatara Township
Lebanon CountyPermit No.
PAG123869Misty Glen Properties LP
230 Poplar Street
Fleetwood, PA 19522

Watershed 7-D

DEP—SCRO—CW
909 Elmerton Avenue
Harrisburg, PA 17110
717-705-4707Buffalo Township
Perry CountyPermit No.
PAG123853MW Smith Farm
562 Bucks Church Road
Newport, PA 17074-8240

Watershed 6-C

DEP—SCRO—CW
909 Elmerton Avenue
Harrisburg, PA 17110
717-705-4707North Woodbury
Township
Blair CountyPermit No.
PA0088404Kulp Family Dairy LLC
1691 Millerstown Road
Martinsburg, PA 16662-8020

Watershed 11-A

DEP—SCRO—CW
909 Elmerton Avenue
Harrisburg, PA 17110
717-705-4707Harrison Township
Potter CountyPermit No.
PAG124824Rodney E. Lane
1982 Harrison Fox Hill Road
Harrison Valley, PA 16927-9426Unnamed Tributary
to North Branch
Cowanesque
River—4-ADEP North Central
Regional Office
Clean Water Program
208 W Third Street
Suite 101
Williamsport, PA
17701-6448
570.327.3636

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.

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

Permit No. 1517522, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Westtown
County	Chester
Type of Facility	PWS
Consulting Engineer	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Permit to Construct Issued	January 22, 2018

Permit No. 1517524, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Caln
County	Chester
Type of Facility	PWS
Consulting Engineer	Gannett Fleming P.O. Box 1963 Harrisburg, PA 17105

Permit to Construct Issued	January 25, 2018
----------------------------	------------------

Permit No. 1517523, Public Water Supply.

Applicant	Chester Water Authority P.O. Box 467 Chester, PA 19016
Township	Kennett
County	Chester
Type of Facility	PWS
Consulting Engineer	Pennoni Associates, Inc. 62 Rockford, Suite 201 Wilmington, DE 19806

Permit to Construct Issued	January 24, 2018
----------------------------	------------------

Operations Permit # 1517520 issued to: **PA American Water Company**, 800 West Hershey Drive, Hershey, PA 17033, **PWS ID 1150106**, West Caln Township, **Chester County** on January 4, 2018 for the operation of Relocation of Ammonia Feed Point to the High Service Pump Discharge Header facilities approved under construction permit # 1517520.

Operations Permit # 5118501 issued to: **Philadelphia Water Department**, 1101 Market Street, Aramark Tower, 2nd Floor, Philadelphia, PA 19107-2994, **PWS ID 1510001**, City of Philadelphia, **Philadelphia County** on January 18, 2018 for the operation of Queen Lane WTP Schuylkill River LT2 additional log removal requirements.

Operations Permit # 5118502 issued to: **Philadelphia Water Department**, 1101 Market Street, Aramark Tower, 2nd Floor, **PWS ID 1510001**, City of Philadelphia, **Philadelphia County** on January 18, 2018 for the operation of Baxter WWTP Delaware Rivers LT2 River LT2 Additional Log Removal Requirements.

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

Permit No. MA-GWR-T1-A1—Construction—Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.—East Cameron
Township/Borough	East Cameron Township
County	Northumberland County
Responsible Official	Mr. Patrick Burke, PE Director of Operations Aqua Pennsylvania, Inc. 204 E. Sunbury Street Shamokin, PA 17872
Type of Facility	Public Water Supply
Consulting Engineer	Stephen J. Draus, PE Aqua Pennsylvania, Inc. 204 E. Sunbury Street Shamokin, PA 17872
Permit Issued	January 30, 2018

Description of Action Authorizes Aqua Pennsylvania, Inc. to replace daily grab sampling and testing of water from Entry Point 100 for free chlorine residual with continuous monitoring of free chlorine residual analyzers, located at (1) Entry Point 100 and (2) in the Well No. 2 Well station.

Permit No. 4918501MA-LCR—Operation—Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.—Roaring Creek Division**
 Township/Borough City of Shamokin
 County **Northumberland County**
 Responsible Official Mr. Patrick Burke, PE
 Aqua Pennsylvania, Inc.
 204 East Sunbury Street
 Shamokin, PA 17872-0909

Type of Facility Public Water Supply—Operation
 Consulting Engineer N/A
 Permit Issued January 26, 2018

Description of Action Authorizes the issuance of Permit No. 4918501MA-LCR to achieve compliance with the Lead and Copper Rule.

Permit No. 5995501-T1, 5916501-MA-T1, 5975501-T1, MA(8/30/1994)T1, 5991503 (not transferred), MA-GWR-T1—Construction—Public Water Supply.

Applicant **Lawrenceville Borough**
 Township/Borough Lawrenceville Borough
 County **Tioga County**
 Responsible Official Ms. Kathryn Helgemo, President
 Lawrenceville Borough
 6 Mechanic Street
 Lawrenceville, PA 16929

Type of Facility Public Water Supply—Construction

Consulting Engineer N/A
 Permit Issued January 26, 2018

Description of Action Authorizes the transfer of permits: 5995501-T1, 5916501-MA-T1, 5975501-T1, MA(8/30/1994)T1, 5991503 (not transferred), MA-GWR-T1 from Lawrenceville Borough Authority to Lawrenceville Borough.

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

Permit No. 2450096, Operations Permit, Public Water Supply.

Applicant **Weston Senior Living Center at Hillcrest**
 6000 Running Valley Road
 Stroudsburg, PA 18360

[Borough or Township] Jackson Township
 County **Monroe**
 Type of Facility PWS

Consulting Engineer Mr. Keith L. Corson PE
 Environmental Engineering & Management Associates, Inc.
 P.O. Box 232
 Kulpsville, PA 19443

Permit to Operate Issued 1/10/2018

Permit No. 3390097, Operations Permit, Public Water Supply.

Applicant **Hanover Township, Lehigh County**
 2202 Grove Road
 Allentown, PA 18109

[Borough or Township] Hanover Township
 County **Lehigh**

Type of Facility PWS
 Consulting Engineer Mr. Albert R. Kortze, PE
 Keystone Consulting Engineers
 2870 Emerick Blvd
 Bethlehem, PA 18020

Permit to Operate Issued 1/10/2018

Permit No. 2450034, Operations Permit, Public Water Supply.

Applicant **Brodhead Creek Regional Authority**
 410 Mill Creek Rd.
 East Stroudsburg, PA 18301

[Borough or Township] Stroud Township
 County **Monroe**

Type of Facility PWS
 Consulting Engineer Mr. Max Stoner, PE
 Glace Associates, Inc.
 3705 Trindle Rd
 Camp Hill, PA 17011

Permit to Operate Issued 1/12/2018

Permit No. 1317502MA, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
 1 Aqua Way
 White Haven, PA 18661

[Borough or Township] Kidder Township
 County **Carbon**

Type of Facility PWS
 Consulting Engineer Mr. Rulison Evans, PE
 Senior Project Manager
 GHD, Inc.
 230 Executive Dr.
 Cranberry Township, PA 16066

Permit to Construct Issued January 22, 2018

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

Permit No. 3617516 MA, Minor Amendment, Public Water Supply.

Applicant **Mount Joy Borough Authority**

Municipality East Donegal Township
 County **Lancaster**
 Responsible Official John D. Leaman
 Authority Manager
 21 East Main Street
 P.O. Box 25
 Mount Joy, PA 17552

Type of Facility Rehabilitation of the existing nitrate treatment units at the Carmany Road Treatment Plant.

Consulting Engineer Matthew D. Warfel
 The ARRO Consulting, Inc.
 108 West Airport Road
 Lititz, PA 17543

Permit to Construct Issued 1/12/2018

Permit No. 2217513 MA, Minor Amendment, Public Water Supply.

Applicant **Sportsman's Golf Course**
 Municipality Lower Paxton Township
 County **Dauphin**
 Responsible Official Heather J. Kuzmich
 General Manager
 3800 Linglestown Road
 Harrisburg, PA 17110

Type of Facility GWR 4-log inactivation of viruses for EP 101. Installation of sodium hypochlorite disinfection and chlorine contact tanks.

Consulting Engineer Charles A. Kehew II, PE
 James R. Holley & Associates, Inc.
 18 South George Street
 York, PA 17401

Permit to Construct Issued 1/9/2018

Comprehensive Operation Permit No. 7220016 issued to: **GSP Management Company (PWS ID No. 7220016)**, East Hanover Township, **Dauphin County** on 1/18/2018 for the operation of facilities at Shady Back Acres MHP approved under Construction Permit No. 2215505.

Operation Permit No. 2217510 MA issued to: **Susquehanna Area Regional Airport Authority (PWS ID No. 7220044)**, Lower Swatara Township, **Dauphin County** on 1/26/2018 for facilities approved under Construction Permit No. 2217510 MA.

Operation Permit No. 3617510 issued to: **Paradise Meadows, LLC (PWS ID No. 7360130)**, Leacock Township, **Lancaster County** on 1/23/2018 for facilities approved under Construction Permit No. 3617510.

Operation Permit No. 2817508 MA issued to: **Greencastle Area, Franklin County, Water Authority (PWS ID No. 7280014)**, Greencastle Borough, **Franklin County** on 1/12/2018 for facilities approved under Construction Permit No. 2817508 MA.

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

Permit No. 2617517, Public Water Supply.
 Applicant **The Municipal Authority of the Township of Washington**
 1390 Fayette Avenue
 Belle Vernon, PA 15012

[Borough or Township] Washington Township
 County **Fayette**
 Type of Facility Water system
 Consulting Engineer Bankson Engineers, Inc.
 Suite 200
 267 Blue Run Road
 Cheswick, PA 15024

Permit to Construct Issued January 25, 2018

Permit No. 0216537-A1, Public Water Supply.
 Applicant **Pennsylvania American Water Company**
 800 West Hersheypark Drive
 Hershey, PA 17033

[Borough or Township] North Strabane Township
 County **Washington**
 Type of Facility Water system
 Consulting Engineer Pennsylvania American Water Company
 800 West Hersheypark Drive
 Hershey, PA 17033

Permit to Construct Issued January 25, 2018

Permit No. 4303504-MA1, Public Water Supply.
 Applicant **Greenville Municipal Water Authority**

Township or Borough Greenville Borough
 County **Mercer**
 Type of Facility Public Water Supply
 Consulting Engineer Robert Horvat, PE
 Entech Engineering
 400 Rouser Road
 Coraopolis, PA 15108

Permit to Construct Issued January 23, 2018

Permit No. 1017506, Public Water Supply.
 Applicant **AC Valley Development Corporation**

Township or Borough Allegheny Township
 County **Butler**
 Type of Facility Public Water Supply
 Consulting Engineer Don A. Gilmore, PE
 Dakota Engineering
 Etna Technical Center
 35 Wilson Street
 Suite 200
 Pittsburgh, PA 15223

Permit to Construct Issued January 25, 2018

Permit No. 2099501-MA2, Public Water Supply.

Applicant **Cambridge Springs Borough**
 Township or Borough Cambridge Springs
 County **Crawford**
 Type of Facility Public Water Supply
 Consulting Engineer Jason Saylor
 Utility Service Company, Inc.
 1230 Peachtree Street NE
 Atlanta, GA 30309
 Permit to Construct January 25, 2018
 Issued

Permit No. 1017507, Public Water Supply.

Applicant **Brady Hills Mobile Home Park**
 Township or Borough Brady Township
 County **Butler**
 Type of Facility Public Water Supply
 Consulting Engineer Steven R. Halmi, PE
 Deiss & Halmi Engineering
 105 Meadville Street
 Edinboro, PA 16412
 Permit to Construct January 26, 2018
 Issued

Operation Permit issued to **Eldred Township Municipal Authority, PWSID No. 6330840**, Eldred Township, **Jefferson County**. Permit Number 3386504-MA3 issued January 24, 2018 for the operation of the new 96,000 gallon water storage tank. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on January 12, 2018.

Operation Permit issued to **Aqua Pennsylvania Inc., PWSID No. 6620019**, Emlenton, **Venango County**. Permit Number 6109503-MA3 issued January 24, 2018 for the operation of the modified chemical feed systems within the water treatment plant. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on January 23, 2018.

Emergency Operation Permit issued to **Willow Bend Mobile Home Park, PWSID No. 959270**, Lackawannock Township, **Mercer County**. Permit Number Emergency issued January 26, 2018 for the operation of the six 120-gallon chlorine contact tanks. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on January 18, 2018.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (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>
Bedford Township	PO Box 148 Bedford, PA 15522	Bedford

Plan Description: Approval of a revision to the official plan of Bedford Township, Bedford County. The project is

known as Old Bedford Village Sanitary Sewer Pump Station. The plan provides for replacement and upgrade of the Old Bedford Village sanitary sewer pump station to provide additional capacity for future new land development. The project also includes installation of PVC gravity sewers and new force main, and the replacement of two downstream manholes. The proposed project is located along Sawblade Road.

The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-05902-468-3 and the APS Id is 953704. Any permits must be obtained in the name of the Authority.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Middleton Township	2051 Spring Road Carlisle, PA 17013	Cumberland

Plan Description: Approval of a Plan Revision to the official plan of North Middleton Township, Cumberland County. The project is known as Wertz Run Interceptor Upgrade. The plan provides for upgrading the Wertz Run Interceptor from 8-inch pipe to 12-inch pipe from Manhole 9-22 to Manhole 9-55. The project is located on Wertz Run Road. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-21920-243-3 and the APS Id is 956911.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lower Allen Township	2233 Gettysburg Road Camp Hill, PA 17011	Cumberland

Plan Description: Approval of a Minor Update Revision to the official plan of Lower Allen Township, Cumberland County. The project is known as Fair Oaks Sewer Extension. The plan provides for a sewer extension to serve 37 existing residential lots. The project is located on Woodbox Lane, Firethorn Lane, Kylock Road and Colonial Drive. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is B3-21912-249-3M and the APS Id is 958427.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Granted Under the Pennsylvania Sewage Facilities Act.

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>
Fayette Township	181 Bunkertown Road McAlisterville, PA 17049	Berks

Plan Description: The sewage planning exemption request submitted for the Terry L. Lauver Subdivision, DEP Code No. A3-34903-225-3E, APS Id 959066, is disapproved. The purpose of this plan is to create one new single family residential building lot to use McAlisterville Area Joint Authority's sewers and wastewater treatment plant. The project is located on the north side of State Route 0035, southwest of the junction with Lions Den

Drive. The submission does not qualify for the use of an exemption from the requirement to revise the Official Plan because the subdivision proposes the connection to or an extension of public sewers where the existing collection, conveyance or treatment facilities have an existing or a 5-year projected hydraulic or organic overload under Chapter 94 and as per Chapter 71, Section 71.51(b)(2)(ii). The project may be resubmitted using the full Component 3 module forms.

BIOSOLIDS INDIVIDUAL PERMITS (PABIG, SSN AND PABIS)

The Department has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

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.

Department of Environmental Protection, Clean Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

PABIS 3503. Newville Borough Water and Sewer Authority, 99 Cove Ave., Newville, PA 17241, Newville Borough, **Cumberland County**. Newville Borough Water and Sewer Authority is approved to beneficially use their biosolids on the David Hockenberry Farm at 240 Oak Flat Road in West Pennsboro Township, Cumberland County.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to

document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Wawa Store # 8013, 2535 Aramingo Avenue, City of Philadelphia, **Philadelphia County**. Geoff Kristof, Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381 on behalf of Joseph Standen, Jr., Wawa Inc., 260 West Baltimore Pike, Media, PA 19063 submitted a Remedial Investigation/Cleanup Plan concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the site-specific standard.

Sunoco Marcus Hook Refinery AO1-5, Borough of Marcus Hook Borough/Lower Chichester Township, **Delaware County**. Jennifer Menges, Stantec, 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Tiffani Doerr, Evergreen Resources Management Operations, 2 Righter Parkway, Suite 200, Wilmington, DE 19803 submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with petroleum and lead. The report is intended to document remediation of the site to meet the site-specific standard/statewide health standard.

Evans Residence, 24 Meade Road, Whitpain Township, **Montgomery County**. Staci Cottone, J&J Spill Service and Supplies, Inc., P.O. Box 370, Blue Bell, PA 19422 submitted a Final Report concerning remediation of site groundwater and soil contaminated with 24 gallons aviation gasoline. The report is intended to document remediation of the site to meet the statewide health standard.

Hurford Residence, 201 Pineville Road, Wrightstown Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA

18073 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.

Regency Apartments, 13 Iven Avenue, Radnor Township **Delaware County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Patrick Barton, Apartment Management, LLC, 116 North Swarthmore Avenue, Suite 1, Ridley Park, PA 19078 submitted a Final Report concerning remediation of site soil contaminated with petroleum. The report is intended to document remediation of the site to meet the statewide health standard.

Sunoco Inc Philadelphia Refinery AO1-8, 3144 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. Jennifer Menges, Stantec Consulting Services, Inc., 1060 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Tiffani Doerr, Evergreen Resources Management Operations, 2 Righter Parkway, Suite 200, Wilmington, DE 19803 submitted a Remedial Investigation Report concerning remediation of site contaminated with petroleum and lead. The report is intended to document remediation of the site to meet the site-specific standard.

Pier 60, 1499/1505/1533 Christopher Columbus Boulevard, City of Philadelphia, **Philadelphia County**. Paul Martino, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Tina Roberts, Sugarmill Associates, 817 North 3rd Street, Philadelphia, PA 19123 submitted a Final Report concerning remediation of site soil and groundwater contaminated with heavy metals and naphthalene. The report is intended to document remediation of the site to meet the site-specific standard.

Tioga Pipe Supply Company, 3917-3979 Aramingo Avenue, City of Philadelphia, **Philadelphia County**. Paul Martino, Pennoni Associates, 1900 Market Street, Philadelphia, PA 19103 on behalf of Michael Cooley, Provco Group, 795 East Lancaster Avenue, Suite Bldg. 2, Suite 200, Villanova, PA 19085 submitted a Remedial Investigation/Cleanup Plan/Final Report concerning remediation of site soil and groundwater contaminated with VOCs, metals and PAHs. The report is intended to document remediation of the site to meet the site-specific standard.

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

Gabriel Property, 147 Morris Avenue, Scranton City, **Lackawanna County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Michael Gabriel, 147 Morris Avenue, Scranton, PA 18504, submitted a Final Report concerning remediation of site soils contaminated with kerosene. The report is intended to document remediation of the site to meet residential Statewide Health Standards.

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

J&J Material Handling Systems, Inc., 1820 Franklin Street, Columbia, PA 17512, West Hempfield Township, **Lancaster County**. Reliance Environmental, Inc., 236 North Duke Street, Lancaster, PA 17602, on behalf of Arnold Printed Communications, 53 Eastman Avenue, Lancaster, PA 17603, submitted a Final Report concerning

site soil contaminated with lead. The Report is intended to document remediation of the site to meet the Site Specific Standard.

Former Domestic Casting Site, 275 North Queen Street, Shippensburg, PA 17257, Shippensburg Township, **Cumberland County**. August Mack Environmental, Inc., 941 Wheatland Avenue, Suite 202, Lancaster, PA 17603, on behalf of Cumberland Area Economic Development Corporation, REC DC, LLC, 53 West South Street, Suite 1, Carlisle, PA 17013, submitted a Risk Assessment concerning remediation of site soil contaminated with arsenic. The report is intended to document remediation of the site to meet the Site Specific Standard.

Gramby Street Elementary School, North Hazel and East Gramby Streets, Manheim, PA 17545, Manheim Borough, **Lancaster County**. Reliance Environmental, 235 North Duke Street, Lancaster, PA 17602, on behalf of Manheim Central School District, 281 White Oak Road, Manheim, PA 17545, 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.

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.

Custom Particle Reduction Site, 5189 Stump Road, Plumstead Township, **Bucks County**. Jaclyn Baron, UHL & Associates, Inc., 278 North Union Street, P.O. Box 375, Lambertville, NJ 08530 on behalf of Dennis K. Rice, Custom Particle Reduction, Inc., 5189 Stump Road, P.O. Box 479, Plumsteadville, PA 18949 submitted a Cleanup Plan/Remediation Investigation Report concerning the remediation of site soil and groundwater contaminated with other organics. The Report was disapproved by the Department on January 18, 2018.

Pathan Chemical Site, 425-447 Moyer Street, City of Philadelphia, **Philadelphia County**, Craig Herr, RT Environmental Services, Inc., 215 Church Road, King of Prussia, PA 19406 on behalf of Barbara Varela, New Kensington Community Development Corporation, 2515 Frankford Avenue, Philadelphia, PA 19125 submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvent. The Report was disapproved by the Department on January 18, 2018.

Cedarbrook Middle School, 300 Longfellow Road, Cheltenham Township, **Montgomery County**. Sean M. Damon, PG, Langan Engineering & Environmental Service, Inc., P.O. Box 1569, Doylestown, PA 18901-0219 on behalf of Dr. Ray Bavi, Cheltenham School District, 2000 Ashbourne Road, Elkins Park, PA 19027 submitted a Final Report concerning the remediation of site soil contaminated with PAH compounds. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on December 8, 2017.

Rhodia, 230 South Pennsylvania, Falls Township, **Bucks County**. Ryan Fitzpatrick, Arcadis U.S. Inc., 10 Friends Lane, Suite 200, Newton, PA 18940 on behalf of Mike Shatynski, Solvay USA, Inc., 504 Carnegie Center, Princeton, NJ 08540 submitted a Final Report concerning the remediation of site soil contaminated with metals and organic compounds. The Report was approved by the Department on January 16, 2018.

Pier 60 Property, 1499/1505/1533 Christopher Columbus Boulevard, City of Philadelphia, **Philadelphia County**. Paul Martino, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Tina Roberts, Sugarmill Associates, Inc., 817 North 3rd Street, Philadelphia, PA 19123 submitted a Final Report concerning the remediation of site groundwater and soil contaminated with heavy metals and naphthalene. The Report demonstrated attainment of the site-specific standard and was approved by the Department on October 4, 2017.

Speedi King, 249 Lancaster Avenue, East Whiteland Township, **Chester County**. David Farrington, Brick-

house Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Frank King, Jr., Estate of Frank King, 417 Water Dam Road, Coatesville, PA 19320 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with organic compounds. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on November 29, 2017.

Tioga Pipe Supply Company, 3917-3979 Aramingo Avenue, City of Philadelphia, **Philadelphia County**. Paul Martino, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Michael Cooley, The Provoc Group, 795 East Lancaster Avenue, Bldg. 2, Suite 200, Villanova, PA 19085 submitted a Remedial Investigation/Cleanup Plan/Final Report concerning the remediation of site soil and groundwater contaminated with VOCs, SVOCs and lead. The Report was approved by the Department on January 9, 2018.

Crichton Residence, 203 Franklin Court, Montgomery Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Valeria Griffin, State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348-6169 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the statewide health standard and was approved by the Department on December 27, 2017.

2413-2429 North Broad Street, 2413-2429 North Broad Street, City of Philadelphia, **Philadelphia County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Janet Stearns, 2415 Broad Limited Partnership, 1515 Fairmount Avenue, Philadelphia, PA 19130 submitted a Final Report concerning the remediation of site soil contaminated with VOCs, lead, PAHs, and carbazole. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on January 9, 2018.

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

Lehigh Valley Industrial Park VII-Lot 84, 1019 Gilchrist Drive, Bethlehem City, **Northampton County**. HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, on behalf of Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015, submitted a Site-Specific Final Report concerning remediation of site soils contaminated due to historic use as coal storage area used in the production of steel. The predominant contaminants found were metals. The report documented remediation of the site to meet Site-Specific Standards and was approved by the Department on January 23, 2018.

Former Solovey Service Station, 274 North River Street, Plains Township, **Luzerne County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of Roberts Oil Company, 646 Meadows Lane, Dallas, PA 18612 has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site groundwater contaminated due to historic use of underground storage tanks storing petroleum at the site. The predominant contaminants identified are volatile organic compounds and lead. The report was intended to document remediation of the site to meet the Site-Specific Standard, but was disapproved by the Department on January 24, 2018.

Suburban Propane, 245 Smith Street, New Milford, **Susquehanna County**. Cemats, 3232 Seneca Turnpike, P.O. Box 68, Canastota, NY 13032, on behalf of Suburban Propane, P.O. Box 4833, Syracuse, NY 13221, submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated due to historic releases from a petroleum distribution facility at the site. The predominant contaminants identified are volatile organic compounds. The report was intended to document remediation of the site to meet the Site-Specific Standard, and was approved by the Department on January 29, 2018.

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

David Angstadt Property, 539 Manatawyn Road, Boyertown, PA 19512, Earl Township, **Berks County**. EnviroTrac Environmental Services, 8133 Easton Road, Ottsville, PA 18942, on behalf of David Angstadt, 539 Manatawyn Road, Boyertown, PA 18512, submitted Notice of Intent to Remediate and Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report was administratively incomplete and was disapproved by the Department on January 17, 2018.

Jessica Zurin Rental Property, 375 Barbara Street, Landisville, PA 17538, East Hempfield Township, **Lancaster County**. EnviroTech Consultants, LLC, 2931 Whittington Avenue, Baltimore, MD 21230, on behalf of Jessica Zurin, 137 Fuhrman Road, Marietta, PA 17547-9240 submitted a Final Report concerning remediation of site soil and groundwater contaminated with # 2 fuel oil from a LUST. The Final Report was administratively incomplete and was disapproved by the Department on January 12, 2018.

VF Outlet Complex—Parcel 9, 801 Hill Avenue, Wyomissing, PA 19610, Wyomissing Borough, **Berks County**. Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482, on behalf of Equus Capital Partners Ltd, 3200 Center Square West, 1500 Market Street, Philadelphia, PA 19102, and VF Corporation, VF Outlet, Inc., 801 Hill Avenue, Wyomissing, PA 19610 submitted a Final Report concerning remediation of site soil contaminated with polycyclic aromatic hydrocarbons. The Final Report demonstrated attainment of the Nonresidential Statewide Health Standard, and was approved by the Department on January 25, 2018.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (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.

Hazardous Waste Transporter License Reissued

Berner Trucking, Inc., P.O. Box 660, Dover, OH 44622. License No. PA-AH 0382. Effective Jan. 29, 2018.

Carlucci Construction Company, Inc., 401 Meadow Street, Cheswick, PA 15024. License No. PA-AH 0297. Effective Jan. 30, 2018.

Evoqua Water Technologies, LLC, 1451 East 9 Mile Road, Hazel Park, MI 48030. License No. PA-AH 0812. Effective Jan. 30, 2018.

Interstate Chemical Company, Inc., 2797 Freeland Road, Hermitage, PA 16148. License No. PA-AH 0689. Effective Jan. 30, 2018.

Providence Environmental Concepts and Services LLC, 312 Sharpe Road, Columbia, SC 29203. License No. PA-AH 0739. Effective Jan. 30, 2018.

R.E.D. Technologies, LLC, 10 Northwood Drive, Bloomfield, CT 06002. License No. PA-AH 0772. Effective Jan. 30, 2018.

Smith Systems Transportation, Inc., P.O. Box 2455, Scottsbluff, NE 69361. License No. PA-AH 0654. Effective Jan. 25, 2018.

Renewal Applications Received

AERC Acquisitions Corp., dba AERC Recycling Solution, A Clean Earth Company, 2591 Mitchell Avenue, Allentown, PA 18103. License No. PA-AH 0687. Effective Jan. 30, 2018.

Berner Trucking, Inc., P.O. Box 660, Dover, OH 44622. License No. PA-AH 0382. Effective Jan. 25, 2018.

Bestrans, Inc., 19 Davidson Lane, New Castle, DE 19720. License No. PA-AH 0766. Effective Jan. 30, 2018.

Carlucci Construction Company, Inc., 401 Meadow Street, Cheswick, PA 15024. License No. PA-AH 0297. Effective Jan. 30, 2018.

Evoqua Water Technologies, LLC, 1451 East 9 Mile Road, Hazel Park, MI 48030. License No. PA-AH 0812. Effective Jan. 30, 2018.

Interstate Chemical Company, Inc., 2797 Freeland Road, Hermitage, PA 16148. License No. PA-AH 0689. Effective Jan. 30, 2018.

Providence Environmental Concepts and Services LLC, 312 Sharpe Road, Columbia, SC 29203. License No. PA-AH 0739. Effective Jan. 30, 2018.

R.E.D. Technologies, LLC, 10 Northwood Drive, Bloomfield, CT 06002. License No. PA-AH 0772. Effective Jan. 30, 2018.

Smith Systems Transportation, Inc., P.O. Box 2455, Scottsbluff, NE 69361. License No. PA-AH 0654. Effective Jan. 25, 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 (35 P.S. §§ 6018.101—6018.1003) and the act of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.

Regulated Medical and Chemotherapeutic Waste Transporter Reissued

Triumvirate Environmental (Florida), Inc., 3701 South West 47th Avenue, Davie, FL 33314. License No. PA-HC 0272. Effective Jan. 30, 2018.

Renewal Applications Received

Triumvirate Environmental, Inc., 200 Inner Belt Road, Somerville, MA 02143. License No. PA-HC 0245. Effective Jan. 30, 2018.

Triumvirate Environmental (Florida), Inc., 3701 South West 47th Avenue, Davie, FL 33314. License No. PA-HC 0272. Effective Jan. 30, 2018.

MUNICIPAL WASTE GENERAL PERMITS

Permit(s) Issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

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

General Permit No. WMGM039SC001. Allan Myers Materials PA, Inc., Cedar Hill Quarry, 219 Quarry Road, Peach Bottom, PA 17563, located in Fulton Township, **Lancaster County**. A minor permit modification was issued under General Permit WMGM039SC001 that approves the change of the permittee's name from ICM of Pennsylvania, Inc. to Allan Myers Materials PA, Inc. and approves the correction of the expiration date of the permit from February 8, 2018 to October 27, 2019. This permit modification was issued on January 29, 2018.

Persons interested in reviewing the general permit may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

Southwest Region: Bureau of Waste Management, Environmental Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

General Permit No. WMGM043SW004. Randall A. Atkinson, for the facility located at 289 Lairds Crossing Road, Worthington, PA 16262, West Franklin Township, **Armstrong County**. Determination of Applicability approved under Municipal Waste General Permit No WMGM043 for the operation of a facility for the acceptance, transfer and processing prior to beneficial use of construction and demolition materials. The general permit was issued by the Southwest Regional Office on January 31, 2018.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit(s) issued Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act 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. 301358. Phoenix Resources Landfill, 782 Antrim Road, Wellsboro, Duncan Township, **Tioga County**, PA. This permit modification is for installation of a leachate pretreatment system for the Phoenix Resources Landfill. The permit was issued by Northcentral Regional Office on January 25, 2018.

Persons interested in reviewing the permit may contact Lisa D. Houser, PE, 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.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP3-46-0152: Harleysville Materials, LLC (P.O. Box 587, Berlin, NJ 08009) On January 11, 2018 for a portable screener, scalping screen and jaw crusher at an existing facility in Lower Salford Township, **Montgomery County**.

GP3-15-0077: Haines & Kibblehouse, Inc., (2052 Lucon Road, Skippack, PA 19474) On January 26, 2018 for a portable nonmetallic mineral processing plant—2 crushers, 1 vibratory screens, and 11 conveyors in Downingtown, **Chester County**.

GP9-15-00033: Haines & Kibblehouse, Inc., (2052 Lucon Road, Skippack, PA 19474) On January 26, 2018 for three diesel-fired internal combustion engines in Downingtown, **Chester County**.

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

Contact: Norman Frederick, PE, Environmental Engineer Manager—Telephone: 570-826-2409.

GP5-58-046: Bluestone Pipeline Company of PA, LLC (1429 Oliver Road, New Milford, PA 18834) on January 25, 2018 for the construction and operation of a Natural Gas Compressor Station at the site located in Harford Twp., **Susquehanna County**.

GP9-58-051: Meshoppen Stone, Inc. (P.O. Box 127, Meshoppen, PA 18630) on January 25, 2018, for the construction and operation of Engines at the Elk Lake Quarry site at their facility in Dimock Township, **Susquehanna County**.

GP3-58-051: Meshoppen Stone, Inc. (P.O. Box 127, Meshoppen, PA 18630) on January 25, 2018, for the construction and operation of rock crushing equipment at the Elk Lake Quarry site at their facility in Dimock Township, **Susquehanna County**.

GP9-45-009: Pocono Shredding, LLC (2213 Shafer Road, Stroudsburg, PA 18360) on January 25, 2018, for the construction and operation of (2) Two IC Engines at their Metal Shredding Site facility in Hamilton Township, **Monroe County**.

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

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

GP3-01-03038D: Mellott Company (100 Mellott Drive, Warfordsburg, PA 17267) on January 25, 2018, for the installation and operation of portable nonmetallic mineral processing equipment, under GP3, at the Charmian Quarry located in Hamiltonban Township, **Adams County**.

GP11-01-03038D: Mellott Company (100 Mellott Drive, Warfordsburg, PA 17267) on January 25, 2018, for the installation and operation five nonroad engines, under GP11, to power portable nonmetallic mineral processing equipment at the Charmian Quarry, located in Hamiltonban Township, **Adams County**.

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

Contact: Muhammad Q. Zaman, Program Manager; 570-327-3648.

GP5-08-00032: Repsol Oil & Gas USA, LLC (50 Pennwood Place, Warrendale, PA 15086) on January 26, 2018, for the construction of one 1,380 bhp Caterpillar model G3516ULB 4SLB natural-gas fired compressor engine equipped with a Miratech model ZHS-36x31-14-XH2B1 oxidation catalyst pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Thomas Compressor Station located in Troy Township, **Bradford County**.

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

Contact: Alan Binder, PE, Environmental Engineer Manager—Telephone: 412-442-4168.

GP13-65-00817A: Lindy Paving, Inc., (2340 2nd Avenue, Pittsburgh, PA 15219) on January 30, 2018, to authorize the installation and operation of a 400 ton per hour Hot Mix Asphalt Plant for a fixed period of 5 years at their New Kensington Asphalt facility located at 201 Industrial Boulevard in Lower Burrell, **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.

GP1-25-688A: UPMC Hamot Medical Center (201 State Street, Erie, PA 16550) on January 19, 2018, for the authority to construct and operate One (1) natural gas fired boiler equipped with a burner rated 32.3 MMBtu/hr (NG)/32.3 MMBtu/hr (oil) (BAQ-GPS/GP1) located at their facility in Erie City, **Erie County**.

GP13-62-172A: Glenn O. Hawbaker, Inc.—Brokenstraw Hot Mix Asphalt Plant (711 East College Ave., Bellefonte, PA 16823) on January 19, 2018, for the authority to construct and operate a Counter Flow Drum Mix Plant with a rated capacity of 400 tph (3,504,000 tpy) and a maximum % reclaimed asphalt pavement used of 50% (BAQ-GPS/GP13) located at their facility in Pittsfield Township, **Warren County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

46-0031F: GlaxoSmithKline LLC, (1250 South Collegeville Road, Collegeville, PA 19420) On January 8, 2018 for the installation of a 2,000 kw-emergency genera-

tor to provide back-up electrical power to Building No. 7 at this location in Upper Providence Township, **Montgomery County**.

23-0009K: The Boeing Company—Philadelphia (P.O. Box 16858, Philadelphia, PA 19142) On January 18, 2018 for the installation of equipment to support the Common Configuration Readiness and Modernization (CCRAM) program in Bldg 3-57 at Boeing's Ridley Park facility in Ridley Township, **Delaware County**.

09-0240: Mazza Iron and Steel (60 Solar Drive, Fairless Hills, PA 19030) On January 25, 2018 for the issuance of a plan approval application is for the installation and operation of an electric metal shredder and a ferrous and non-ferrous metals processing facility located in Falls Township, **Bucks County**.

15-0156: Peace Products Company (143 Pennsylvania Avenue, Malvern, PA 19355) On January 25, 2018 for the installation of four (4) flexographic printing presses at a new facility located in Malvern Borough, **Chester County**.

46-0040D: Lux Global Label Co., Inc. (formerly known as National Label Co., Inc.) (2025 Joshua Road, Lafayette Hill, PA 19444) On January 26, 2018 for installation of ductwork to route VOC-laden exhaust from multiple existing gravure printing stations to an existing regenerative thermal oxidizer in Whitmarsh Township, **Montgomery County**.

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

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

18-00033A: Renovo Energy Center, LLC (12011 Sunset Hills Road, Suite 110, Reston, VA 20190) on January 26, 2018, for plan approval to construct and operate a natural gas/ultra-low sulfur diesel-fired combined-cycle power plant to produce 1,000 MW or less of electricity in Renovo Borough, **Clinton County**. The project consists of two (2) identical 1 × 1 power blocks, and each block includes a combustion gas turbine and a steam turbine. Each combined-cycle process will also include a heat recovery steam generator. The air contaminants from each power block will be controlled by a selective catalytic reduction (SCR) system and an oxidation catalyst. Ancillary equipment for the facility also being proposed by Renovo Energy Center, LLC (Renovo) include: one (1) diesel-fired emergency generator engine, one (1) diesel-fired fire pump engine, two (2) natural gas-fired auxiliary boilers, two (2) natural gas-fired water bath heaters, one (1) natural gas-fired dew point gas heater, one (1) ultra-low sulfur, diesel fuel (ULSD) storage tank, two (2) lube oil storage tanks, and two (2) aqueous ammonia storage tanks.

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

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

10-368F: Markwest Liberty Bluestone, LLC (1515 Arapahoe St., Suite 1600, Denver, CO 80202), on January 22, 2018 issued a Plan Approval for the installation of four (4) 1,680 bhp natural gas fired compressor engines in Jackson Township, **Butler County**. This is a State Only facility.

16-149D: Clarion Laminates (301 Fiberboard Road, Shippensburg, PA 16254), on January 25, 2018 issued a

Plan Approval for the installation of two (2) baghouses in Paint Township, **Clarion County**. This is a State Only facility.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

09-0226A: NOSCO ODSC, Inc. (1504 Grundy Lane, Bristol, PA 19007-1521) On January 23, 2018 for the installation of a 7-color HP Indigo 30000 digital printing press at an exiting location.

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

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

22-03052D: Hearth and Home Technologies (352 Mountain House Road, Halifax, PA 17032) on January 25, 2018, for the construction of two (2) paint booths with filters at the heating equipment manufacturing facility located in Jackson Township, **Dauphin County**. The plan approval was extended.

06-05069Z: East Penn Manufacturing Co., Inc. (P.O. Box 147, Lyon Station, PA 19536) on January 25, 2018, for the installation in the Industrial Building of six formation (battery charging) systems controlled by mist eliminators and the installation of four battery finishing lines, to support battery production in the A-3 Building, at the lead-acid battery manufacturing facility in Richmond Township, **Berks County**. The plan approval was extended.

36-03206A: Green Harvest Augsburg, LLC (P.O. Box 209, Reinholds, PA 17569) on January 26, 2018, for the construction of a combined heat & power (CHP) distributed generation facility located in West Cocalico Township, **Lancaster County**. The plan approval was extended.

36-03137B: New Enterprise Stone & Lime Co., Inc. (P.O. Box 550, Blue Ball, PA 17506-0550) on January 29, 2018, for the modification of the existing tertiary plant which entails relocation of the operation to a lower level of the quarry while reusing the existing tertiary crusher, one new screen, one existing screen, two (2) new conveyors, eleven (11) "like-for-like" conveyors, one (1) new bin, one (1) washed sand screw, one (1) new 40,000 cfm baghouse and wet suppression system to control the particulate emissions. The modified tertiary source will be located at the Burkholder Quarry in Earl Township, **Lancaster County**. The plan approval was extended.

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

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

08-00017A: Northern Tier Solid Waste Authority (P.O. Box 10, Burlington, PA 18814) on January 18, 2018, to extend the plan approval an additional 18 months to July 17, 2019 to begin construction of western expansion

of the landfill. The facility is located in West Burlington Township, **Bradford County**. The plan approval has been extended.

08-00047B: Milan Energy, LLC (North Shore Place I, 358 North Shore Drive, Suite 201, Pittsburgh, PA 15212) on January 29, 2018, to extend the plan approval expiration date to August 2, 2018 to allow continued operation of three natural gas-fired reciprocating engines at their electric generating facility in Smithfield Township, **Bradford County**.

08-00049B: Alpaca Energy, LLC (North Shore Place I, 358 North Shore Drive, Suite 201, Pittsburgh, PA 15212) on January 29, 2018, to extend the plan approval expiration date to August 10, 2018 to allow continued operation of three natural gas-fired reciprocating engines at their electric generating facility in Canton Township, **Bradford County**.

Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

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

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

09-00122: Arkema, Inc. (Altuglas International): (100 Route 413, Bristol, PA 19007) On January 26, 2018 for the issuance of a renewal of the Title V Operating Permit for their acrylic molding resins facility located in Bristol Township, **Bucks County**.

46-00011: Arcelormittal Plate, LLC (900 Conshohocken Road, Conshohocken, PA 19428) On January 26, 2018 for the renewal of the Title V Operating Permit and a significant modification to address RACT II for operation of a blast furnaces and steel mills facility in Plymouth Township, **Montgomery County**.

09-00009: Quad Graphics, Inc. (4371 County Line Road, Chalfont, PA 18914-1825) On January 26, 2018, for the renewal of the Title V Operating Permit for their printing operations located in New Britain Township, **Bucks County**.

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

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

49-00014: Jeraco Enterprises (135 Sodom Road, Milton, PA 17847) on January 26, 2018, for the renewal of and significant modification to the Title V operating permit TVOP 49-00014 for the incorporation of Reasonable Available Control Technology (RACT II) requirements pursuant to 25 Pa. Code §§ 129.96—129.100 at the Milton facility located in Milton Borough, **Northumberland County**. The Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

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

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

09-00047: Warminster Fiberglass Co. (725 County Line Rd, Southampton, PA 18966) On January 25, 2018 for the renewal of a State-Only Operating Permit for manufacturing plastics products for this location in Upper Southampton Township, **Bucks County**.

46-00134: The Hill School (717 East High St, Pottstown, PA 19464) On January 26, 2018 for a renewal Non-Title V Facility, State-Only, Synthetic Minor Permit in Pottstown Township, **Montgomery County**.

09-00019: Naceville Materials Joint Venture (887 Mill Creek Road, Rushland, PA 18956) On January 26, 2018 for a renewal of State Only (Synthetic Minor) Operating Permit No. 09-00019 for its Miller Materials/Rushland Quarry facility, which is located in Wrightstown Township, **Bucks County**.

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

Contact: Norman Frederick, PE, Environmental Engineer Manager—Telephone: 570-826-2409.

48-00031: Georgia Pacific Consumer Operations, LLC (605 Kuebler Road, Easton, PA 18040-9282) The Department issued on 1/10/18, a State-Only (Natural Minor) Operating Permit renewal for operation of their nonfolding sanitary food container manufacturing facility located in Forks Township, **Northampton County**. The sources include two (2) natural gas-fired boilers, eleven (11) space heaters, two (2) natural-gas fired emergency engines, one (1) diesel-fired emergency engine, two (2) flexographic printing presses, two (2) extruders, and a cup forming and scrap paper collection process. The client had a change of ownership from Dixie to Georgia Pacific Consumer Operations during the renewal process. 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.

48-00107: Morello Funeral Home (3720 Nicholas Street, Easton, PA 18045) The Department issued on 1/23/18, a State-Only Operating Permit for operation of their facility located in Palmer Township, **Northampton County**. The sources include a cremation unit controlled by a secondary afterburner. 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.

13-00015: Arfan, Inc., Palmerton Facility (525 Delaware Ave., Palmerton, PA 18071-1910). On January 24, 2018, the Department issued a renewal State-Only (Natural Minor) Permit for the human crematory facility located in the Borough of Palmerton, **Carbon County**. The primary sources consist of one (1) crematory incinerator. The control device consists of an afterburner. The source is considered a minor emission source of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

06-03102: Reading City (815 Washington Street, Reading, PA 19601-3615) on January 22, 2018, for the Reading WWTP located in Reading City, **Berks County**. The State-only permit was renewed.

06-03114: WER Corp. dba Aluminum Alloys (P.O. Box 2197, Reading, PA 19608-0197) on January 18, 2018, for the non-ferrous foundry located in Lower Heidelberg Township, **Berks County**. The State-only permit was renewed.

38-03045: The Sherwin Williams Mfg., Co. (3050 Hanford Drive, North Lebanon Ind. Park, Lebanon, PA 17046) on January 29, 2018, for the paint manufacturing facility located in North Lebanon Township, **Lebanon County**. The State-only permit was renewed.

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

Contact: Tom Joseph, PE, Facilities Permitting Chief—Telephone: 412-442-4336.

04-00222: Austin Associates Inc. (1060 24th Street Extension, P.O. Box 808, Beaver Falls, PA 15010-3668) State Only Operating Permit Renewal issuance date January 24, 2018, for continued operation of their facility located in Beaver Falls City, **Beaver County**.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

10-00270: Lectromat, Inc. (P.O. Box 608, Mars, PA 16046-0608). The Department on January 24, 2018, issued the renewal State Only Operating Permit for the facility operating to manufacture electrical insulations and composite prepregs in Adams Township, **Butler County**. The primary sources at the facility include 3 horizontal coaters/laminators, 2 vertical coating towers, an epoxy resin coating line, and 2 natural gas fired space heaters. Emissions from the coaters/laminators and the coating towers are controlled by fume incinerators. The facility is a Natural Minor. Potential emissions for the facility are as follows: NO_x < 1 tpy; CO < 1 tpy; VOCs < 1 tpy; and HAPs < 1 tpy. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

20-00272: Universal Stainless & Alloy Products (121 Caldwell St., Titusville, PA 16354), on January 29, 2018, the Department issued the renewal of the State-Only Operating Permit of a facility located in the City of Titusville, **Crawford County** that manufactures customized, precision-rolled shapes made of materials that include high performance alloys, stainless steel, and tool steel. Permitted sources at the facility are rolling mills, annealing furnace, dip tank heater, vacuum pumps, grinders, mold cleaning unit, degreasers, miscellaneous natural gas usage, and miscellaneous solvent usage. With PTEs of 18.86, 11.05, 4.12, 1.33, 0.31, and 0.095 TPY for NO_x, CO, VOC, PM, HAPs, and SO_x, respectively, the facility is Natural Minor for permitting purposes. As part of the manufacturing process, the miscellaneous solvent usage, which was previously considered as an insignificant activity, is now a permitted source in the renewal permit. This source is subject to a 2.7-TPY VOC emission

restriction, a monthly recordkeeping, and a work practice requirement to minimize emissions from wiping operations and spillage.

62-00018: Warren State Hospital (33 Main Drive, North Warren, PA 16365-5001). The Department on January 24, 2018 issued a Synthetic Minor Operating Permit to operate this State Hospital Facility, located in Conewango Township, **Warren County**. The significant sources at this facility are three natural gas fired boilers, various small space and water heaters, and ten emergency power generators. The conditions of the previous plan approvals and operating permit were incorporated into the renewal permit. The newer emergency power generators are subject to 40 CFR 60, Subpart IIII. The potential emissions from this facility are as follows: 32.98 TPY CO; 61 TPY NO_x; 5.74 TPY PM₁₀; 17.42 TPY SO_x; and 2.8 TPY VOC. The seven emergency generators installed prior to 2006 (Source 101) are each limited to a maximum of 325 hours of operation based on a 12-month rolling total. The boilers primarily burn natural gas. Periodic testing of liquid fuels in the boilers shall not exceed a combined total of 48 hours during any calendar year. Actual emissions reported from the facility for 2016 were as follows: 5.72 TPY CO; 6.81 TPY NO_x; 0.20 TPY PM₁₀; 0.04 TPY SO_x; and 0.37 TPY VOC.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9476.

OP17-000057: Menasha Packaging (601 E Erie Ave, Philadelphia, PA 19134) for operation of a corrugated and solid fiber boxes manufacturing facility in the City of Philadelphia, **Philadelphia County**. The operating permit N14-005 was amended to reclassify two steam boilers as natural-gas fired boilers under 40 CFR 63 Subpart JJJJJJ and modify the requirements accordingly. Under these requirements, the boilers are subject to only burn natural gas except during periods of gas curtailment, gas supply interruption, startups, or for periodic testing, maintenance, or operator training. Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a combined total of 48 hours during any calendar year. The Natural Minor operating permit, N14-005, was originally issued on March 4, 2015.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

09-00142: Bank of America National Association, (35 Runway Road, Levittown, PA 19057) On January 26, 2018 for an Administrative Amendment to their State Only Operating Permit to incorporate the requirements of Plan Approval 09-00142D for their facility located in Bristol Township, **Bucks County**.

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

Contact: Norman Frederick, PE, Environmental Engineer Manager—Telephone: 570-826-2409.

48-00031: Georgia Pacific Consumer Operations, LLC (605 Kuebler Road, Easton, PA 18040-9282) The Department issued on 1/10/18, a State-Only (Natural

Minor) Operating Permit renewal for operation of their nonfolding sanitary food container manufacturing facility located in Forks Township, **Northampton County**. The sources include two (2) natural gas-fired boilers, eleven (11) space heaters, two (2) natural-gas fired emergency engines, one (1) diesel-fired emergency engine, two (2) flexographic printing presses, two (2) extruders, and a cup forming and scrap paper collection process. The client had a change of ownership from Dixie to Georgia Pacific Consumer Operations during the renewal process. 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.

48-00107: Morello Funeral Home (3720 Nicholas Street, Easton, PA 18045) The Department issued on 1/23/18, a State-Only Operating Permit for operation of their facility located in Palmer Township, **Northampton County**. The sources include a cremation unit controlled by a secondary afterburner. 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.

13-00015: Arfan, Inc., Palmerton Facility (525 Delaware Ave., Palmerton, PA 18071-1910). On January 24, 2018, the Department issued a renewal State-Only (Natural Minor) Permit for the human crematory facility located in the Borough of Palmerton, **Carbon County**. The primary sources consist of one (1) crematory incinerator. The control device consists of an afterburner. The source is considered a minor emission source of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The operating permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

49-00014: Jeraco Enterprises (135 Sodom Road, Milton, PA 17847) on January 26, 2018, for the renewal of and significant modification to the Title V operating permit TVOP 49-00014 for the incorporation of Reasonable Available Control Technology (RACT II) requirements pursuant to 25 Pa. Code §§ 129.96—129.100 at the Milton facility located in Milton Borough, **Northumberland County**. The Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

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

Contact: Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6131.

10-00107: Vorteq Valencia, LLC (125 McFann Road, Valencia, PA 16059). The Department on January 26, 2018, issued an administrative amendment to the State Operating Permit to incorporate the change in ownership (previously Wismarq Valencia) for the facility located in Middlesex Township, **Butler County**.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

Contact: Dave Balog, New Source Review Chief or Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6340.

24-00083: Mersen USA (1032 Trout Run Road, St. Marys, PA 15857) for its facility located in the City of St. Marys, **Elk County**. The De minimis emission increase is

for the modification to the exhaust of the existing Building 102 Coke Screening operations and # 7 and # 8 Roller Mills (Source ID 1002), to allow the subject sources to exhaust outdoors. In addition, the proposed activity is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on September 26, 2016.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
10/31/2016	Coke Screening Exhaust Modification	0.125	0	0	0	0
5/17/2017	# 7 and # 8 Roller Mill Exhaust Modification	0.42	0	0	0	0
Total Reported Increases		0.545	0	0	0	0
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

25-00971: Erie Plating Company (656 W. 12th St., Erie, PA 16501) for its facility located in the City of Erie, **Erie County**. The De minimis emission increase is for the installation of a cadmium plating line. In addition, the proposed activity is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the State Only Operating Permit issuance on February 10, 2017.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
3/27/2017	Cadmium plating line	0.212	0	0	0	0
Total Reported Increases		0.212	0	0	0	0
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

62-00032: Ellwood National Forge (One Front Street, Irvine, PA 16329) for its facility located in Brokenstraw Township, **Warren County**. The De minimis emission increases are for source 1000 (VOD). This source is exempt from plan approval as it complies with 25 Pa. Code § 127.449.

The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This is the second De minimis emission increase since the facility current Operating Permit issuance on August 1, 2012.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
8-08-2013	Source 111—Heat treat furnaces	0.20	0.0250	0.35	0.150	2.17
1-29-2018	Source 1000 (VOD)	0.54	0.0006	0.11	0.006	4.000
Total Reported Increases		0.74	0.0256	0.46	0.156	6.17
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

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.

32901601 and NPDES No. PA0213586. Millcreek Processing, (P.O. Box 435, Seward, PA 15954). To renew the permit for the Challenger Coal Yard in East Wheatfield Township, **Indiana County** and related NPDES Permit. No additional discharges. The application was considered administratively complete on December 23, 2016. Application received: June 1, 2016. Permit issued: January 19, 2018.

30841319. Murray American Energy, Inc., (46226 National Road, St. Clairsville, OH 43950). To transfer the permit for the Blacksville Mine No. 1 in Wayne Township, **Greene County** from Consolidation Coal Company. No discharges. The application was considered administratively complete on September 21, 2016. Application received: March 7, 2016. Permit issued: January 22, 2018.

03851302 and NPDES No. PA0379302. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Rosebud No. 3 Mine in Perry Township, **Armstrong County** for post mining treatment only. No additional discharges. The application was considered administratively complete on April 28, 2017. Application received: January 17, 2017. Permit issued: January 16, 2018.

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

10120106. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous surface mine in Parker & Fairview Townships, Petrolia Borough, **Butler County**, affecting 465.7 acres. Receiving streams: Unnamed tributary to South Branch Bear Creek. This renewal is issued for reclamation only. Application received: November 16, 2017. Permit Issued: January 18, 2018.

61120108. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Renewal of an existing bituminous surface mine in Richland Township, **Venango County**, affecting 31.5 acres. Receiving streams: Unnamed tributaries to the Allegheny River. This renewal is issued for reclamation only. Application received: November 20, 2017. Permit Issued: January 25, 2018.

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

65-17-01 and NPDES Permit No. PA0278246. (David L. Patterson, Jr., 12 Short Cut Road, Smithfield, PA 15478). Government Financed Construction Contracted issued for reclamation of approximately 14.4 acres of abandoned mine lands located in Salem Township, **Westmoreland County**. Receiving stream(s): unnamed tributaries to Beaver Run Reservoir. Application received: May 5, 2017. Contract issued: January 23, 2018.

Noncoal Permits Issued

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

Permit No. 50170801. Kirby W. Kitner Excavating, 7214 Spring Road, New Bloomfield, PA 17068, commencement, operation, and restoration of a small noncoal (industrial minerals) operation in Centre Township, **Perry County**, affecting 5.0 acres, receiving stream: unnamed tributary to Little Juniata Creek. Permit received: May 26, 2017. Permit issued: January 24, 2018.

PAM417006-GP104. Kirby W. Kitner Excavating, 7214 Spring Road, New Bloomfield, PA 17068. General NPDES Permit for stormwater discharges associated with mining activities on noncoal permit No. 50170801 located in Centre Township, **Perry County**. Receiving stream: Little Juniata Creek classified for the following uses: cold water fishes, migratory fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: May 31, 2017. Coverage approved: January 24, 2018.

PAM418001-GP104. James L. Walls Excavating, 5364 Racetrack Road, St. Thomas, PA 17252. General NPDES Permit for stormwater discharges associated with mining activities on Non-Coal Permit No. 28950801 located in St. Thomas Township, **Franklin County**. Receiving stream: Campbell Run classified for the following uses: Cold Water Fishes, Migratory Fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: December 26, 2017. Coverage approved: January 25, 2018.

PAM418004-GP104. Donald L. Weller, 14112 Orchard Ridge Road, Hancock, MD 21750. General NPDES Permit for stormwater discharges associated with mining activities on Non-Coal Permit No. 28970801 located in Warren Township, **Franklin County**. Receiving stream: Little Cove Creek classified for the following uses: Cold Water Fishes, Migratory Fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: January 5, 2018. Coverage approved: January 25, 2018.

PAM418003-GP104. Thomas J. Sheaffer, 67 Sheaffer Farm Lane, New Bloomfield, PA 17068. General NPDES Permit for stormwater discharges associated with mining activities on Non-Coal Permit No. 50940802 located in Wheatfield Township, **Perry County**. Receiving stream: Unnamed Tributary to Little Juniata Creek classified for the following uses: Cold Water Fishes, Migratory Fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: January 4, 2018. Coverage approved: January 25, 2018.

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

PAM617053. Meadville Redi-Mix Concrete, Inc. (P.O. Box 418, Meadville, PA 16335) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 20940301 in

Vernon Township, **Crawford County**. Receiving streams: Unnamed tributary to Van Horne Creek. Application received: December 18, 2017. Permit Issued: January 18, 2018.

PAM617054. Wroblewski Sand & Gravel, Inc. (12989 Half Moon Road, Wattsburg, PA 16442-9328) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 25890301 in Venango Township, **Erie County**. Receiving streams: West Branch French Creek. Application received: December 22, 2017. Permit Issued: January 25, 2018.

PAM617056. Wroblewski Sand & Gravel, Inc. (12989 Half Moon Road, Wattsburg, PA 16442-9328) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 25930305 in Venango Township, **Erie County**. Receiving streams: West Branch French Creek. Application received: December 22, 2017. Permit Issued: January 25, 2018.

PAM617055. Wroblewski Sand & Gravel, Inc. (12989 Half Moon Road, Wattsburg, PA 16442-9328) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 25900304 in Venango Township, **Erie County**. Receiving streams: West Branch French Creek. Application received: December 22, 2017. Permit Issued: January 25, 2018.

PAM617052. Lakeland Sand & Gravel, Inc. (11203 Ellion Road, Conneaut Lake, PA 16316) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 4876SM2 in Venango Township, **Erie County**. Receiving streams: Unnamed tributary to Crooked Creek. Application received: December 4, 2017. Permit Issued: January 25, 2018.

PAM613003. J.M. DeLullo Stone Sales, Inc. (1247 Million Dollar Highway, Kersey, PA 15846-2713) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 33132801 in Washington & Sandy Townships, **Jefferson & Armstrong Counties**. Receiving streams: Wolf Run. Application received: December 4, 2017. Permit Issued: January 25, 2018.

20172801. Lakeland Sand & Gravel, Inc. (11203 Ellion Road, Conneaut Lake, PA 16316) Commencement, operation and restoration of a small industrial minerals mine in Sadsbury Township, **Crawford County**, affecting 2.5 acres. Receiving streams: Unnamed tributaries to Mud Run and unnamed tributaries to Watson Run. Application received: September 18, 2017. Permit Issued: January 25, 2018.

PAM617025. Lakeland Sand & Gravel, Inc. (11203 Ellion Road, Conneaut Lake, PA 16316) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 2012801 in Sadsbury Township, **Crawford County**. Receiving streams: Unnamed tributary to Mud Run and unnamed tributaries to Watson Run. Application received: September 18, 2017. Permit Issued: January 25, 2018.

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

03142001 and NPDES Permit No. PA0278211. Britt Energies, Inc. (P.O. Box 515, Indiana, PA 15701). Revision permit issued for a variance approximate original contour plan to an existing underground noncoal surface mine, located in South Bend Township, **Armstrong County**, affecting 161.5 acres. Receiving streams:

Crooked Creek. Application received: March 9, 2017. Permit issued: January 26, 2018.

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

Permit No. 54170801. Daniel G. Grow, (279 West Cherry Street, Ringtown, PA 17967), commencement, operation and restoration of a quarry operation in Union Township, **Schuylkill County** affecting 1.15 acre, receiving stream: no discharge to Trexler Run. Application received: August 7, 2017. Permit issued: January 22, 2018.

Permit No. 58170801. Daryl Jay Cook, (1552 Newhart Road, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Rush Township, **Susquehanna County** affecting 1.0 acre, receiving stream: unnamed tributary to Middle Branch Wyalusing Creek. Application received: March 1, 2017. Permit issued: January 23, 2018.

Permit No. PAM117007. Daryl Jay Cook, (1552 Newhart Road, Montrose, PA 18801), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58170801 in Rush Township, **Susquehanna County**, receiving stream: unnamed tributary to Middle Branch Wyalusing Creek. Application received: March 1, 2017. Permit issued: January 23, 2018.

Permit No. 58130301C. F.S. Lopke Contracting, Inc., (3430 SR 434, Apalachin, NY 13732), correction to an existing quarry operation to add 3.6 acres to the permit for a total of 86.6 acres in Harford Township, **Susquehanna County**, receiving stream: East Branch Martins Creek. Application received: April 20, 2016. Correction issued: January 25, 2018.

Permit No. PAM113034C, F.S. Lopke Contracting, Inc., (3430 SR 434, Apalachin, NY 13732), correction of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58130301 in Harford Township, **Susquehanna County**, receiving stream: East Branch Martins Creek. Application received: April 20, 2016. Correction issued: January 25, 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

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

10184101. Wampum Hardware Company (130 Weston Road, Grove City, PA 16127) Blasting Activity Permit for commercial development in Jefferson Township, **Butler County**. This blasting activity permit expires on December 31, 2018. Permit Issued: January 11, 2018.

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

Permit No. 09184101. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Weis 227 in Bedminster Township,

Bucks County with an expiration date of January 16, 2019. Permit issued: January 22, 2018.

Permit No. 15184101. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Mayfair in West Bradford Township, **Chester County** with an expiration date of February 29, 2019. Permit issued: January 22, 2018.

Permit No. 38184102. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Bachman Run Phase III in South Annville Township, **Lebanon County** with an expiration date of December 31, 2018. Permit issued: January 22, 2018.

Permit No. 64184101. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for a borrow pit in Clinton Township, **Wayne County** with an expiration date of January 2, 2019. Permit issued: January 22, 2018.

Permit No. 35184102. John H. Brainard, (P.O. Box 66, Clifford, PA 18413), construction blasting for Glenmaura Senior Center in Moosic Borough, **Lackawanna County** with an expiration date of December 31, 2018. Permit issued: January 23, 2018.

Permit No. 64184001. Northeast Blasting, (403 Middle Creek Road, Honesdale, PA 18431), construction blasting for Bob Boogertman in Paupack Township, **Wayne County** with an expiration date of January 11, 2019.

Permit No. 64184002. George W. Sanford, (P.O. Box 95, Deposit, NY 13754), construction blasting for farm road repair on Maple Grove Road in Starrucca Borough, **Wayne County** with an expiration date of March 31, 2018. Permit issued: January 24, 2018.

Permit No. 38184103. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Bell and Evans in Bethel Township, **Lebanon County** with an expiration date of November 29, 2018. Permit issued: January 26, 2018.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of

practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E15-883. Eastern Shore Natural Gas Company, 1110 Forrest Avenue, Suite 201, Dover, DE 19904, 2017 Expansion Project, in West Sadsbury Township, Highland Township, Londonderry Township, Penn Township, New London Township, and Franklin Township, **Chester County**, ACOE Philadelphia District/ACOE Baltimore District.

To construct and maintain the appurtenant structures and approximately 4.5 miles of 16-inch pipeline (Parkesburg Loop) beginning at Cemetery Road in Parkesburg, PA, Quadrangle N: 39°57'46.23", W: 75°56'25.77" and ending at Limestone Road in Parkesburg, PA, Quadrangle N: 39°54'9.81", W: 75°54'41.49"; and approximately 1.7 mile of 24-inch pipeline (Fair Hill Loop) beginning at Walker Road in Newark West, DE-MD-PA, Quadrangle N: 39°44'32.78", W: 5°49'51.66" and extending in to Maryland south of Elbow Lane in Newark West, DE-MD-PA, Quadrangle N: 39°43'19.78", W: 75°49'1.61". The proposed project impacts in Chester County include temporary impacts to 75 linear feet of Valley Creek (CWF; MF), 166 linear feet of one unnamed tributary to Valley Creek (CWF; MF), 100 linear feet of Knight Run (TSF; MF), 374 linear feet of five unnamed tributaries to Knight Run (TSF; MF), and 104 linear feet of two unnamed tributaries to Big Elk Creek (HQ-TSF; MF); permanent impacts to 9 linear feet of Valley Creek (CWF; MF), 28 linear feet of one unnamed tributary to Valley Run (CWF; MF), 10 linear feet of Knight Run (TSF; MF), 23 linear feet of three unnamed tributaries to Knight Run (TSF; MF), and 10 linear feet of two unnamed tributaries to Big Elk Creek (HQ-TSF; MF); 2.33 acres of temporary floodway impacts; 0.13 acre of permanent floodway impacts; 0.26 acre of temporary impacts to Palustrine Emergent (PEM); and 0.03 acre of permanent impacts to PEM wetlands. No compensation is being proposed by the applicant for the proposed permanent project impacts in Chester County. The proposed project impacts in this permit application are associated with proposed project of

seven buried natural gas pipeline segments totaling approximately 40 miles in Chester County, PA; Cecil County, MD; and New Castle and Sussex Counties, Delaware.

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E46-1152. Pennsylvania Department of Transportation Engineering District 6, 7000 Geerdes Blvd. King of Prussia, Towamencin Township, **Montgomery County**, ACOE Philadelphia District.

The Pennsylvania Department of Transportation (PennDOT) is proposing to perform the below listed water obstruction and encroachment activities associated SR 1006, Section MFB Bridge replacement over Skippack Creek:

To perform the below-listed water obstruction and encroachment activities associated with S.R. 1006, Section MFB Bridge replacement over Skippack Creek:

1. To replace the existing three-span, rolled steel I-beam bridge with a two-span prestressed concrete spread box beam bridge over Skippack Creek (TSF/MF) (W.U.S. 1).

2. The removal of the existing structures and their footers from within Skippack Creek (TSF/MF) (W.U.S. 1) and the construction and maintenance of the proposed piers, footers, and associated scour protection for the proposed bridge structural and foundation system.

3. To construct temporary cofferdams to facilitate the removal of the existing piers and to construct the proposed piers for the replacement bridge structure over the Skippack Creek (TSF/MF) (W.U.S. 1).

4. To relocate 85 linear feet of an unnamed tributary to Skippack Creek (TSF/MF) (W.U.S. 3) upstream of the proposed bridge.

The proposed project will have 154 linear feet (0.037 acre/1,631 square feet) of permanent waterway impact and 75 linear feet (0.093 acre/4,062 square feet) of temporary waterway impact. Total of 0.267 acre/11,594 square feet of permanent floodway impact and 0.184 acre/8,014 square feet of temporary floodway impact are proposed. The project is located within Evansburg State Park on Old Forty Foot Road in Towamencin Township, Montgomery County (USGS PA, Collegeville, Quadrangle—Latitude: 40.228513 N, Longitude: 75.380899 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)).

E46-1154. Providence Place Senior Living, 1528 Sandy Hill Road, Hummelstown, PA 17036, Lower Providence Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a floodwall about 680-feet long, about 14.5-feet high and 1.33-foot thick within the 100-year floodway/floodplain of the Perkiomen Creek (WWF, MF) associated with the redevelopment of Collegeville Inn property into assisted living facility. The project also includes 5 outfalls and about 7,500-foot long × 8-foot wide recreation trail within the floodway.

The site is located at about 250 feet southwest of Germantown and Ridge Pikes (Collegeville, PA USGS Quadrangle Latitude: 40.183837; Longitude: -75.446972).

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.

E52-255. Blooming Grove Hunting & Fishing Club, 123 Old Field Road, Hawley, PA 18428. Blooming Grove Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a stream restoration project in a 5,900-foot reach of Shohola Creek (HQ-CWF, MF) using natural stream channel design techniques for the purpose of improving channel stability, water quality and aquatic habitat. Work will include re-grading of the channel and embankments and the placement of in-stream structures including toe woods, rock toes, log boulder steps/grade control structures, single log vanes, root wads, random boulder placements, digger log vanes, j-hook log vanes, double throat cross log vanes, cross log vanes, mud sill structures, and live stake plantings. The project begins where the Shohola Creek intersects Interstate 84 and extends upstream from that point for approximately 5,900 linear feet (Pecks Pond, PA Quadrangle Latitude: 41° 21' 9"; Longitude: -75° 6' 2") in Blooming Grove Township, Pike County. (Pecks Pond Quadrangle Latitude: 41°21'9"; Longitude: -75°6'2")

E63-696. Edward Dice\Plenary Walsh Keystone Partners, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275. Independence and Blaine Townships, **Washington County**, Army Corps of Engineers Pittsburgh District.

To remove the existing structure and to construct and maintain a 31-foot wide single span concrete box beam bridge over Brush Run (HQ-WWF), having a normal span of 65.5 feet and an approximate under clearance of 8.5 feet. The new structure will be placed immediately downstream of the existing structure to allow roadway realignment and intersection improvements along S.R. 0231 and S.R. 331. The project will also include 135 feet of stream relocation, having a 2.5-foot bottom width and 2:1 side slopes, of a Tributary to Brush Run (HQ-WWF) as a result of the road realignment. The project is located along S.R. 0231 Section 000, immediately North of the confluence of Brush Run and Buffalo Creek (West Middletown, PA Quadrangle Latitude: 40°11'43.4"; Longitude: -80°26'53.2").

Northwest Region: Waterways & Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

E37-201, R.G. Steel Corporation, 8301 Mercer Street, Pulaski, PA 16143. Industrial Facility Site Expansion, in Pulaski Township, **Lawrence County**, ACOE Pittsburgh District (Edinburg, PA Quadrangle N: 41.118927°, W: -80.431375°).

Conduct earth moving activities resulting in grade changes within the floodway of Buchanan Run as part of the construction and maintenance of a gravel parking, travel lane, and product storage area adjacent to an existing industrial facility at a point approximately 600 feet west of the Pulaski Mercer Road and Mercer Street intersection (Edinburg, PA Quadrangle N: 41.118972; W: -80.431375) in Pulaski Township, Lawrence County.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.

ESCGP-2 # ESG17-047-0006—Crooked Creek Ridge Road
Applicant Seneca Resources Corporation
Contact Douglas Kepler
Address 5800 Corporate Drive, Suite 300
City Pittsburgh State PA Zip Code 15237
County Elk Township(s) Jones
Receiving Stream(s) and Classification(s) Crooked Creek, Long Branch Crooked Creek, Jenkins Hollow, South Fork Straight Creek, Middle Fork East Branch Clarion River, Clarion River & UNTs to Crooked Creek, Long Branch Crooked Creek, Middle Fork East Branch Clarion River, South Fork Straight Creek, HQ-CWF

ESCGP-2 # ESX14-019-0018A—AK Steel Well Pad D
Applicant XTO Energy Inc
Contact Melissa Breitenbach
Address 190 Thorn Hill Road
City Warrendale State PA Zip Code 15086

County Butler Township(s) Butler
Receiving Stream(s) and Classification(s) Connoquenessing Creek & UNT to Connoquenessing Creek WWF, Beaver River

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-2 # ESG29-015-17-0035
Applicant Name Chief Oil & Gas LLC
Contact Person Jeffrey Deegan
Address 1720 Sycamore Rd
City, State, Zip Montoursville, PA 17754
County Bradford
Township(s) Leroy
Receiving Stream(s) and Classification(s) Turnip Patch Run (EV, MF) and UNT to Towanda Ck (TSF, MF)
Secondary—McCraney Run and Towanda Ck

ESCGP-2 # ESG29-081-17-0048
Applicant Name Inflection Energy PA LLC
Contact Person Gregg Saunders
Address 101 W Third St, 5th Fl
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Gamble & Eldred
Receiving Stream(s) and Classification(s) Sugarcamp Run (EV); Calebs Run (EV)
Secondary—Mill Ck (TSF)

ESCGP-2 # ESG29-081-17-0057
Applicant Name ARD Operating LLC
Contact Person Stephen Barondeau
Address 33 W Third St, Suite 300
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Cogan House
Receiving Stream(s) and Classification(s) UNT to Long Run (EV); Larrys Ck (EV)
Secondary—Long Run (EV); West Branch Susquehanna River (WWF)

ESCGP-2 # ESG29-081-17-0058
Applicant Name ARD Operating LLC
Contact Person Stephen Barondeau
Address 33 W Third St, Suite 300
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) McHenry
Receiving Stream(s) and Classification(s) UNT to Browns Run (HQ-CWF); English Run (HQ-CWF)
Secondary—Browns Run (HQ-CWF)

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
18-23-013	Evonik Corporation 1200 West Front Street Chester, PA 19013-3438 Attn: Chris Dumont	Delaware	City of Chester	1 AST storing sulfuric acid	30,000 gallons

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
18-51-029	7-Eleven, Inc. P.O. Box 711 Dallas, TX 75221 Attn: Mark Becker	Philadelphia	City of Philadelphia	1 field-constructed UST storing petroleum products	15,000 gallons

SPECIAL NOTICES

Proposed State Water Quality Certification Required by Section 401 of the Clean Water Act for the Equitrans Expansion Project Amendment

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, PE, 412-442-4149.

WQ05-001-A1, Equitrans, L.P. (Applicant), 625 Liberty Ave., Suite 1700, Pittsburgh, PA 15222. Equitrans Expansion Project Amendment, in Franklin and Jefferson Townships, **Greene County**, ACOE Pittsburgh District. The proposed project amendment starts at near Crayne School Rd, located in Franklin Township, Greene County, PA (Mather, PA Quadrangle N: 39° 54' 44.83"; W: 80° 05' 36.06") and ends at Equitrans' existing Jefferson Compressor Station, in Jefferson Township, Greene County, PA. (Mather, PA Quadrangle N: 39° 54' 36.0"; W: 80° 04' 31.69").

The previously referenced information relates to a proposed amendment to the Equitrans Expansion Project (EEP or Project) which was previously reviewed under file number WQ05-001, the history of which is detailed as follows:

On October 27, 2015, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its EEP (FERC Docket No. CP16-13-000). This application may be viewed on FERC's website at www.ferc.gov (search eLibrary; Docket Search; CP16-13).

On October 28, 2015, Applicant requested a State water quality certification from the Pennsylvania Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

On July 18, 2017, State water quality certification was granted.

The previously approved Project (DEP File # WQ05-001) was described as follows:

The H-318 Pipeline segment of the EEP Project, as proposed, includes approximately 4.6 miles, of 20-inch pipeline for the purpose of transporting natural gas from the EQT Gathering, LLC (EQT Gathering) Applegate Gathering system located in Forward Township, Allegheny County, PA to Equitrans' existing H-148 pipeline, in Union Township, Washington County, PA. This portion of the project also involves the installation of permanent aboveground facilities at the existing Applegate Site and new Hartson Launcher/Receiver Facilities which include approximately 0.48 acre of disturbance. The H-318 Pipe-

line portion of the EEP Project, as proposed, will require approximately 74.1 acres of earth disturbance, and impacts to 80 linear feet of Lobbs Run—WWF (aka S-BB1), 106 linear feet of UNT to Lobbs Run—WWF (aka S-BB1(a)), 99 linear feet of UNT to Lobbs Run—WWF (aka S-BB2), 891 linear feet of Monongahela River—WWF (aka S-BB5), 75 linear feet of Bunola Run—WWF (aka S-BB4), 16 linear feet of Bunola Run—WWF (aka S-BB4 [for workspace]), 75 linear feet of Kelly Run—WWF (aka S-BB3), with a total of 1,342 linear feet of stream impacts to WWF, 1.5 acre of floodway, 0.01 acre of temporary wetland impacts to W-BB3 (PEM), 0.014 acre of temporary wetland impacts to W-BB10 (PFO), 0.016 acre of temporary wetland impacts to W-BB9 (PFO), 0.041 acre of permanent wetland impacts to W-BB3 (PEM), 0.372 acre of permanent wetland impacts to W-BB7 (PEM) for which a Joint Permit Application has been submitted, 0.070 acre of permanent wetland impacts to W-BB6 (PEM), 0.01 acre of permanent wetland impacts to W-BB12-WP (PFO/PSS). Temporary impacts to wetlands on the H-318 pipeline segment of EEP total 0.10 acre, while permanent impacts total 0.51 acre, of that total the H-318 pipeline segment will require permanent impacts converting a total 0.028 acre of PSS or PFO wetland to PEM wetland.

The H-316 Pipeline segment of the EEP Project, as proposed, includes approximately 2.9 miles, of 30-inch pipeline for the purpose of transporting natural gas from the proposed Redhook Compressor Station located in Franklin Township, Greene County, PA to Equitrans' existing H-302 pipeline for delivery to Texas Eastern infrastructure located in Jefferson Township, Greene County, PA or south on Equitrans' existing H-302 pipeline to the proposed Mountain Valley Pipeline (MVP) located in West Virginia (WV). This portion of the project also involves the installation of permanent aboveground facilities at the new H-302 Tap and Launcher/Receiver Facility which includes approximately 0.11 acre of disturbance. The above ground facilities will be located within the same project footprint of the proposed H-316 pipeline construction. The H-316 pipeline portion of the EEP Project, as proposed, will require approximately 56 acres of earth disturbance, and impacts to 118 linear feet of S-AA3 (UNT to South Fork Tenmile Creek—WWF), 106 linear feet of UNT to South Fork Tenmile Creek—WWF (aka S-AA4), 80 linear feet of UNT to UNT 23572 to South Fork Tenmile Creek—WWF (aka S-AA8), 189 linear feet of UNT to UNT 23572 to South Fork Tenmile Creek—WWF (aka S-AA9), 81 linear feet of UNT to South Fork Tenmile Creek—WWF (aka S-AA10), 113 linear feet of UNT to Ruff Creek—WWF (aka S-AA11), 75 linear feet of Ruff Creek—WWF (aka S-AA12), 147 linear feet of UNT to South Fork Tenmile Creek—WWF (aka S-AA13), 83 linear feet of UNT to South Fork Tenmile Creek—WWF (aka S-AA14), 123 linear feet of South Fork Tenmile Creek—WWF (aka S-AA15), 6 linear feet of UNT to UNT 26514 South Fork Tenmile Creek—WWF (aka S-AA24), 9 linear feet of UNT to UNT 26514 South Fork Tenmile Creek—WWF (aka S-AA23), 7 linear feet of UNT to UNT 26514 South Fork Tenmile Creek—WWF (aka

S-AA22), 4 linear feet of UNT to UNT 26514 South Fork Tenmile Creek—WWF (S-AA21), 2.5 linear feet of UNT to UNT 26514 to South Fork Tenmile Creek—WWF (aka S-AA20), 12 linear feet of UNT to South Fork Tenmile Creek—WWF (aka S-AA17), 2.5 linear feet of UNT to UNT 26514 to South Fork Tenmile Creek—WWF (aka S-AA18, with a total of 1,158 linear feet of stream impacts to WWF, 2.75 acres of floodway, 0.035 acre of temporary wetland impacts to W-AA4 (PEM), 0.023 acre of temporary wetland impacts to W-AA8 (PEM), 0.0007 acre of temporary wetland impacts to W-AA10 (PEM), 0.059 acre of permanent wetland impacts to W-AA4 (PEM), 0.074 acre of permanent wetland impacts to W-AA7 (PEM), and 0.0007 acre of permanent wetland impacts to W-AA10 (PEM)). Temporary impacts to wetlands on the H-316 pipeline segment of EEP total 0.06 acre, while permanent impacts total 0.13 acre.

The Redhook Compressor Station is a proposed natural gas compressor station facility which will be located in Franklin Township, Greene County, PA. The Project, as proposed, will require approximately 17.25 acres of earth disturbance and will not impact any wetlands or streams. A proposed permanent access road for the Redhook Compressor Station is anticipated to permanently impact 0.25 acre of floodway for stream UNT to UNT 81118 to South Fork Tenmile Creek—WWF (aka S-N2).

The M-80 Pipeline segments of the EEP Project is located in the same right-of-way as H-158 pipeline, and as proposed, includes an approximately 1,175 feet extension, of 6-inch pipeline (M-80 pipeline) and a 12-inch pipeline (H-158 pipeline) located in Franklin Township, Greene County, PA. The pipeline currently moves gas to the existing Pratt Compressor station, but will be required to be extended to move gas to the aforementioned proposed Redhook Compressor Station located in Franklin Township, Greene County, PA. The M-80 Pipeline portion of the EEP Project, as proposed, will require approximately 11.47 acres of earth disturbance, and impacts to 105 linear feet of UNT 81118 to South Fork Tenmile Creek—WWF (aka S-AA1) and 165 linear feet of UNT to South Fork Tenmile Creek—WWF (S-AA2), with a total of 270 linear feet of stream impacts to WWF, with a total of 270 linear feet of stream impacts to WWF, 2.25 acres of floodway, and no temporary or permanent wetland impacts.

The H-158 Pipeline segment of the EEP Project is located in the same right-of-way as M-80 pipeline, and as proposed, includes an approximately 1,175 feet extension, of 12-inch pipeline located in Franklin Township, Greene County, PA. The pipeline currently moves gas to the existing Pratt Compressor station, but will be required to be extended to move gas to the proposed Redhook Compressor Station located in Franklin Township, Greene County, PA. The H-158 Pipeline portion of the EEP Project, as proposed, will be installed within the same construction right-of-way as M-80, so will not require any additional acres of disturbance. Impacts from this segment are coupled with and are referenced in the discussion of the M-80 pipeline segment aquatic resource impacts.

The H-305 Pipeline segment of the EEP Project, as proposed, includes an approximately 504 feet extension, of 24-inch pipeline for the purpose of transporting natural gas from the proposed Redhook Compressor Station to Equitrans' existing H-305 pipeline located at the existing Braden Run Interconnect with Texas Eastern in Franklin Township, Greene County, PA. The H-305 Pipeline portion of the EEP Project, as proposed, will require approxi-

mately 0.28 acre of earth disturbance, and impacts to 167 linear feet of UNT to UNT 81118 to South Fork Tenmile Creek—WWF (aka S-N1), 0.36 acre of floodway, and no temporary or permanent wetland impacts.

The project will cumulatively impact 2,937 linear feet of stream, 7.11 acres of floodways of associated watercourses, 0.16 acre of temporary wetland impacts and 0.64 acre of permanent wetland impacts.

By order issued October 13, 2017, in Docket No. CP16-13-000 (Order), the Federal Energy Regulatory Commission (FERC) authorized Equitrans, LP to construct and operate its proposed EEP subject to conditions specified in the Order. The Project includes the construction of pipeline, compression, and ancillary facilities.

The currently proposed project amendment (WQ05-001-A1) was filed with FERC on November 9, 2017, as part of an implementation plan for the EEP. This proposed project amendment includes the elimination of the aforementioned H-318 pipeline segment in Washington and Allegheny Counties, and the modification for the H-316 pipeline segment in Greene County.

On December 15, 2017, Applicant requested a State water quality certification from the Pennsylvania Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the project amendment will protect water quality in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

The applicant proposes to eliminate the aforementioned H-318 pipeline 3.8-mile-long 20-inch pipeline, which has not been constructed, from the original project that received conditional State water quality certification. The H-318 Pipeline segment of the EEP starts Applegate Gathering system located in Forward Township, Allegheny County, PA (Glassport, PA Quadrangle N: 40° 15' 15.28"; W: 79° 57' 45.02") and ends at Equitrans' existing H-148 pipeline, in Union Township, Washington County, PA. (Monongahela, PA Quadrangle N: 40° 14' 27.04"; W: 79° 55' 16.43"). This pipeline proposed 74.1 acres of earth disturbance, and impacts to 80 linear feet of S-BB1 (Lobbs Run—WWF), 106 linear feet of S-BB1(a) (UNT to Lobbs Run—WWF), 99 linear feet of S-BB2 (UNT to Lobbs Run—WWF), 891 linear feet of S-BB5 (Monongahela River—WWF), 75 linear feet of S-BB4 (Bunola Run—WWF), 16 linear feet of S-BB4 [for workspace] (Bunola Run—WWF), 80 linear feet of S-BB3 (Kelly Run—WWF), with a total of 1,347 linear feet of stream impacts to WWF, 1.5 acre of floodway, 0.010 acre of temporary wetland impacts to W-BB3 (PEM), 0.041 acre of permanent wetland impacts to W-BB3 (PEM), 0.372 acre of permanent wetland impacts to W-BB7 (PEM) for which a Joint Permit Application was issued, and 0.070 acre of permanent wetland impacts to W-BB6 (PEM).

The applicant proposes to remove from the aforementioned H-316 route a 0.9-mile-long segment of 30-inch pipeline, which has not been constructed, from the original project that received State water quality certification. The segment is located from Crayne School Rd, in Morgan Township, Greene County, PA (Mather, PA Quadrangle N: 39° 54' 44.83"; W: 80° 05' 36.06") and ends at Equitrans existing H-302 pipeline, in Jefferson Township, Greene County, PA. (Mather, PA Quadrangle N: 39° 54' 01.56"; W: 80° 05' 14.36"). This segment included approxi-

mately 22 acres of earth disturbance, and impacts to 161 linear feet of South Fork Tenmile Creek (WWF) and unnamed tributaries of South Fork Tenmile Creek (WWF) (aka S-AA17, S-AA18, S-AA-10, S-AA20, S-AA21, S-AA22, S-AA-23, S-AA24), 0.06 acre of floodway, 0.001 acre of temporary Palustrine Emergent Wetland impacts, and 0.001 acre of permanent Palustrine Emergent Wetland impacts.

The applicant proposes to re-route the H-316 pipeline 1.1 miles, of 30-inch pipeline for the purpose of transporting natural gas from the approved Redhook Compressor Station to the existing Jefferson Compressor Station, for delivery to Texas Eastern or south on Equitrans' H-302 pipeline to Mountain Valley Pipeline. The proposed H-316 Pipeline re-route starts at the H-316 natural gas pipeline near Crayne School Road, located in Morgan Township, Greene County, PA (Mather, PA Quadrangle N: 39° 54' 44.83"; W: 80° 05' 36.06") and ends at Equitrans' existing Jefferson Compressor Station, in Jefferson Township, Greene County, PA. (Mather, PA Quadrangle N: 39° 54' 36.03"; W: 80° 04' 31.69"). The H-316 Pipeline Re-route, as proposed, will require approximately 19 acres of earth disturbance, and impacts to 113.7 linear feet of South Fork Tenmile Creek (WWF), 0.405 acre floodway, 0 acre of temporary wetland impacts, and 0.07 acre of permanent Palustrine Emergent Wetland impacts.

No changes in footprint or impacts are proposed for the previously approved Redhook Compressor Station, H-305, H-158, or M-80 pipelines.

With the removal of H-318, inclusion of the H-316 re-route and modifications, the project will cumulatively impact 1,443 linear feet of stream, 5.9 acres of floodways of associated watercourses, 0.06 acre of temporary wetland impacts and 0.20 acre of permanent Palustrine Emergent Wetland impacts.

The Department anticipates issuing a State water quality certification to Applicant for the project amendment that will require compliance with the following State water quality permitting programs, criteria and conditions established pursuant to State law to ensure the Project does not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—Applicant shall obtain and comply with a Department National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Applicant shall obtain and comply with the Department's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Department Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Applicant.

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

6. *Inspection*—The Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the Department during such inspections of the Project.

7. *Transfer of Projects*—If Applicant intends to transfer any legal or equitable interest in the Project which is affected by this State Water Quality Certification, Applicant shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least 30 days prior to the contemplated transfer and shall simultaneously inform the Department Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to:

Dana Drake, PE
Department of Environmental Protection
Southwest Regional Office
400 Waterfront Drive
Pittsburgh, PA 15222

9. *Reservation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that Applicant has not complied with the terms and conditions of this certification. The Department may require additional measures to achieve compliance with applicable law, subject to Applicant's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Applicant from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

11. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Prior to issuance of the final State water quality certification, the Department will consider all relevant and timely comments, suggestions or objections submitted to the Department within 30 days of this notice. Comments should be directed to Dana Drake, PE, Waterways and Wetland Program Manager, at the above address or

through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted.

Request for Comments on the Total Maximum Daily Load (TMDL) Developed for Ross Run, Indiana County

The Department of Environmental Protection (Department) will accept comments as of February 10, 2018 for the proposed TMDL proposed address aquatic life use impairments in Ross Run as noted in the 2016 Pennsylvania Integrated Water Quality Monitoring and Assessment Report (Integrated List), initially listed in 2006. Ross Run is a tributary of the Little Mahoning Creek and the larger

Allegheny River Basin. The watershed is located in East, North and South Mahoning Townships, Indiana County. The impairments were noted during bioassessments in the watershed (2005 and 2010) and excessive siltation due to grazing-related agriculture was identified as causing impairment to the designated aquatic life use of a High Quality—Cold Water Fishery, (HQ-CWF), in Ross Run. Because this Commonwealth does not currently have water quality criteria for sediment, a TMDL endpoint was identified using a reference watershed approach. Based on a comparison to the similar, nonimpaired watershed, the Mudlick Run, another HQ-CWF, was chosen for comparison and is a tributary to Little Mahoning Creek and the larger Mahoning Creek and Allegheny River Basin, Indiana County (Figure 2.), a 24.6% reduction in sediment loading will allow water quality to be met in the impaired segments of Ross Run.

Table 1. Summary of TMDL for Ross Run in Sediment, lbs/yr. and lbs/day

TMDL—Total Maximum Daily Load, WLA—Waste Load Allocation, MOS—Margin of Safety LA—Load Allocation, LNR—Loads Not Reduced, ALA—Adjusted Load Allocation

TMDL	WLA	MOS	LA	LNR	ALA
720,359.3	7,203.6	72,035.9	641,119.8	12,400.0	628,719.8
1,973.6	19.7	197.4	1,756.5	34.0	1,722.5

Load allocations were distributed to nonpoint sources, with 10% of the TMDL reserved explicitly as a MOS. The WLA is that portion of the total load assigned to National Pollutant Discharge Elimination System (NPDES) permitted point source discharges. A search of the Department effects permit database identified no known point source discharges within Ross Run. To take in account future permit activity, 1% of the TMDL was incorporated into the WLA as a bulk reserve. The LA is that portion of the total load assigned to nonpoint sources, specifically all land use sources other than NPDES permitted point sources. LNR are the portion of the LA associated with nonpoint sources other than agricultural (croplands, hay/pasture), and associated stream banks. It is equal to the sum of modeled loading on forested land use, a quarry, and low development. The ALA represents the remaining portion of the LA distributed among agricultural land and associated stream banks.

The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. The proposed TMDLs and information on the TMDL program can also be viewed on the Department's web site at www.dep.state.pa.us/watermanagement_apps/tmdl/. To request a copy of any of the proposed TMDLs, contact Scott Alexander, Water Program Specialist, Bureau of Clean Water, Central Office, Department of Environmental Protection, Rachel Carson State Office Building, Harrisburg, PA 17105, (717) 772-5670, salexander@pa.gov.

The Department will consider all comments in developing the final TMDLs, which will be submitted to EPA for final approval. Written comments will be accepted at the above address and must be postmarked by 30 days after publication in the *Pennsylvania Bulletin* on February 10, 2018.

Request for Comments on the Total Maximum Daily Load (TMDL) Developed for Whiteley Creek, Greene County

The Department of Environmental Protection (Department) will accept comments as of February 10, 2018, for the proposed TMDL proposed address aquatic life use impairments in as noted in the 2016 Pennsylvania Integrated Water Quality Monitoring and Assessment Report (Integrated List), initially listed in 2006. Whiteley Creek is a tributary of the Monongahela River and located in southeastern Greene County, near Kirby, primarily within Whiteley Township. The impairments were noted during bioassessments in the watershed (2005 and 2010) and excessive siltation due to agriculture was identified as causing impairment to Whiteley Creek's designated aquatic life use of Trout Stocked Fishery (TSF) (headwaters to S.R. 2011 bridge) and Warm Water Fishery (WWF) (from the bridge to the Monongahela). This Commonwealth does not currently have water quality criteria for sediment, so TMDL endpoint was identified using a reference watershed approach. Based on a comparison to the similar, nonimpaired, headwaters of Dunning Creek, Bedford County, a 53.3% reduction in sediment loading will allow water quality objectives to be met in the impaired segments of Whiteley Creek (Table 1).

Table 1. Summary of TMDL for Whiteley Creek in Sediment, lbs/yr. and lbs/day

TMDL—Total Maximum Daily Load, WLA—Waste Load Allocation, MOS—Margin of Safety LA—Load Allocation, LNR—Loads Not Reduced, ALA—Adjusted Load Allocation

TMDL	WLA	MOS	LA	LNR	ALA
5,521,338.4	1,249,319.6	552,133.8	3,719,885.0	227,600.0	3,492,285.1
55,213.4	3,422.8	1,512.7	10,191.5	623.6	9,567.9

Load allocations were distributed to nonpoint sources, with 10% of the TMDL reserved explicitly as a MOS. The WLA is that portion of the total load assigned to National Pollutant Discharge Elimination System (NPDES) permitted point source discharges. A search of the Department effects permit database identified seventeen known point source discharges

within Whiteley Creek. To take in account future permit activity, 1% of the TMDL was incorporated into the WLA as a bulk reserve. The LA is that portion of the total load assigned to nonpoint sources, specifically all land use sources other than NPDES permitted point sources. LNR are the portion of the LA associated with nonpoint sources other than agricultural (croplands, hay/pasture), and associated stream banks. It is equal to the sum of modeled loading on forested land use, a quarry, and low development. The ALA represents the remaining portion of the LA distributed among agricultural land and associated stream banks.

The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. The proposed TMDLs and information on the TMDL program can also be viewed on the Department's web site at www.dep.state.pa.us/watermanagement_apps/tmdl/. To request a copy of any of the proposed TMDLs, contact Scott Alexander, Water Program Specialist, Bureau of Clean Water, Central Office, Department of Environmental Protection, Rachel Carson State Office Building, Harrisburg, PA 17105, (717) 772-5670, salexander@pa.gov.

The Department will consider all comments in developing the final TMDLs, which will be submitted to EPA for final approval. Written comments will be accepted at the above address and must be postmarked by 30 days after publication in the *Pennsylvania Bulletin* on February 10, 2018.

Erosion and Sediment Control Permit Modification

The Department of Environmental Protection (Department) provides notice of request for a permit modification for the following listed Chapter 102, Erosion and Sediment Control Permit, currently under review for Pennsylvania Pipeline Project (PPP)/Mariner East II.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Counties</i>	<i>DEP Regional Office</i>
ESG0500015001	Sunoco Pipeline, LP (SPLP) 535 Fritztown Road Sinking Spring, PA 19608	Delaware and Chester	Southeast Region

This request, received October 11, 2017, is entitled Major Modification 1—East Swedesford Road—HDD S3-381. It involves a change in installation methodology for a portion of the project as a result of concerns raised by Aqua America (Aqua), the local water authority, regarding their Hillside Drive production well along East Swedesford Road.

Specifically, the proposed changes include an open trench installation with five conventional bore sections and one short HDD. The HDD will be conducted from Stream S-B79 and Lincoln Highway which is over 2,300 feet from Swedesford Road. Conventional bores will be added at Stations 15111+00 to 15112+25 (Exton Lane), Stations 15113+75 to 15117+00 (utilities avoidance), Stations 15121+00 to 15122+25 (E. Swedesford Road), and Stations 15135+00 to 15137+00 (sensitive area by stream S-B81) and 15137+00 to 15141+00 (stream S-B81 and wetland WL-B71).

Through the utilization of these alternative installation methods, SPLP proposes to avoid impacts to local resources and sensitive areas.

For more detailed information regarding the Southeast (ESG0500015001) Chapter 102 permit application related to this proposed project, which is available in the Department's regional office and available online at dep.pa.gov/pipelines, contact John Hohenstein, (484) 250-5160 to request a file review. The Department will accept written comments on this Chapter 102 permit modification request through Monday, March 12, 2018. Comments on the application can be e-mailed or sent by postal mail to the Department of Environmental Protection, Southeast Regional Office, Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401, ra-epww-sero@pa.gov.

Erosion and Sediment Control Permit Modification

The Department of Environmental Protection (Department) provides notice of request for a permit modification for the following listed Chapter 102, Erosion and Sediment Control Permit, currently under review for Pennsylvania Pipeline Project (PPP)/Mariner East II.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>Counties</i>	<i>DEP Regional Office</i>
ESG0500015001	Sunoco Pipeline, LP (SPLP) 535 Fritztown Road Sinking Spring, PA 19608	Delaware and Chester	Southeast Region

This request, received October 18, 2017, is entitled Major Modification 2—North Pottstown Pike—HDD S3-370. This modification request is a change in installation methodology for a portion of the project following more in-depth hydrogeology analysis and seismic testing.

Specifically, the proposed changes include an open trench installation with four conventional bore sections. Conventional bores will be added at Stations 15083+50 to 15085+50 (CH-0209 Parking Lot), Stations 15088+50 to 15089+50 (Stream S-C61), Stations 15092+00 to 15093+00 (Stream S-C59) and Stations 15093+50 to 15096+00 (Pottstown Pike/PA HWY 100).

After obtaining additional information, SPLP proposed to use these alternatives methods to avoid impacts to local resources and sensitive areas.

For more detailed information regarding the Southeast (ESG0500015001) Chapter 102 permit application related to this proposed project, which is available in the Department's regional office and available online at dep.pa.gov/pipelines, contact John Hohenstein, (484) 250-5160 to request a file review. The Department will accept written comments on this Chapter 102 permit modification request through Monday, March 12, 2018. Comments on the application can be e-mailed or sent by postal mail to the Department of Environmental Protection, Southeast Regional Office, Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401, ra-epww-sero@pa.gov.

[Pa.B. Doc. No. 18-220. Filed for public inspection February 9, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Agricultural Advisory Board Meeting Cancellation

The Agricultural Advisory Board meeting scheduled for February 22, 2018, has been cancelled. The next meeting is scheduled to occur on April 26, 2018, at 9 a.m. in Susquehanna Room B, Department of Environmental Protection, South Central Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110.

Questions concerning the April 26, 2018, meeting should be directed to Jay Braund, Bureau of Clean Water at (717) 772-5636 or jbraund@pa.gov. The agenda and materials for the April 26, 2018, 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 "Water Advisory Committees").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5636 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. 18-221. Filed for public inspection February 9, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Rates to be Used for Calculating Long-Term Operation and Maintenance Cost Bonds for Water Supply Replacement Mining Operations

The Department of Environmental Protection (Department) announces the rates to be used to calculate bond amounts for water supply replacement operation and maintenance costs for anthracite and bituminous coal and industrial mineral mining operations. The authority for bonding mining operations is found under The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19b), the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66), The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21), the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326) and the regulations promulgated thereunder at 25 Pa. Code Chapters 77 and 86 (relating to noncoal mining; and surface and underground coal mining; general).

The rates are used in calculating the water supply operation and maintenance bond amounts for replacement water supplies affected by activities at mining operations including surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities, underground coal mining operations and industrial mineral surface mines. The procedures for calculating water supply operation and maintenance bonds are described in Technical Guidance # 562-4000-102, "Increased Operation and Maintenance Costs of Replacement Water

Supplies," which is available on the Department's eLibrary web site at www.elibrary.dep.state.pa.us.

The Department may review the adequacy of bonds on existing permits at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the midterm of a permit and before approving a permit revision.

Rates

The Department calculated the rate of inflation and rate of return using 5-year averages. For the rate of inflation, the Consumer Price Index (Northeast Urban) from the United States Department of Labor, Bureau of Labor Statistics, was averaged for the calendar years 2013—2017, resulting in a rate of 1.10%. For the rate of return, the interest rate for the 20-year Treasury bill as reported by the Federal Reserve was averaged for the calendar years 2013—2017 resulting in a rate of 2.72%.

For background information and supporting documentation regarding the rates, contact the Bureau of Mining Programs, Division of Permitting and Compliance, P.O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

Effective Date

The rates in this notice will become effective on April 1, 2018. They will remain in effect until new rates are published. It is anticipated that these new rates will be published in February 2019, to be effective April 1, 2019.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 18-222. Filed for public inspection February 9, 2018, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Storage Tank Advisory Committee Meeting Cancellation

The March 6, 2018, meeting of the Storage Tank Advisory Committee (Committee) is cancelled. The next meeting is scheduled for June 5, 2018, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg PA 17105.

Questions concerning the next scheduled Committee meeting can be directed to Kris A. Shiffer at (717) 772-5809 or kshiffer@pa.gov. The agenda and meeting materials for the June 5, 2018, meeting will be available on the Committee's webpage at <http://www.dep.pa.gov> (select "Public Participation," then "Advisory Committees," then "Cleanup and Brownfields Advisory Committees," then "Storage Tank Advisory Committee").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department of Environmental Protection (Department) at (717) 772-5809 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. 18-223. Filed for public inspection February 9, 2018, 9:00 a.m.]

DEPARTMENT OF HEALTH

Sexual Assault Victim Emergency Services Regulation Listing of Hospitals that may not Provide Emergency Contraception and Hospitals that may not Provide any Sexual Assault Emergency Services

The Department of Health (Department) published final-form sexual assault victim emergency services regulations at 38 Pa.B. 573 (January 26, 2008). The sexual assault victim emergency services regulations became effective on January 26, 2008, and amended 28 Pa. Code Part IV, Subpart B (relating to general and special hospitals) to add specific requirements for hospitals relating to the provision of sexual assault emergency services. See 28 Pa. Code §§ 117.51—117.58 (relating to sexual assault victim emergency services).

Hospitals that decide they may not provide emergency contraception due to a stated religious or moral belief contrary to providing this medication are required to give notice to the Department of the decision. See 28 Pa. Code § 117.57 (relating to religious and moral exemptions). Hospitals that refer all emergency patients to other hospitals after institution of essential life-saving measures and decide not to provide any sexual assault emergency services are required to give notice to the Department of the decision. See 28 Pa. Code § 117.58 (relating to exemption for hospitals providing limited emergency services).

Sections 117.57(1)(ii) and 117.58(1)(ii) of 28 Pa. Code state that the Department will annually publish the lists of hospitals in the *Pennsylvania Bulletin* that have chosen not to provide emergency contraception under 28 Pa. Code § 117.57 or any sexual assault emergency services under 28 Pa. Code § 117.58. The following lists are published in accordance with those provisions and do not create any new obligations for hospitals or relieve hospitals of any existing obligations.

Hospitals that may not Provide Emergency Contraception

Under 28 Pa. Code § 117.57(1)(ii), the Department publishes the following list of hospitals that have provided notice to the Department that the hospital may not provide emergency contraception due to a stated religious or moral belief:

<i>Hospital Name</i>	<i>City, Zip Code</i>
Holy Spirit Hospital	Camp Hill, 17011
Geisinger Jersey Shore Hospital	Jersey Shore, 17740
Mercy Fitzgerald Hospital	Darby, 19023
Mercy Philadelphia Hospital	Philadelphia, 19143
Suburban Community Hospital	East Norriton, 19401
Millcreek Community Hospital	Erie, 16509
Muncy Valley Hospital	Muncy, 17756
Nazareth Hospital	Philadelphia, 19152
Physicians Care Surgical Hospital	Royersford, 19468
Regional Hospital of Scranton	Scranton, 18501
St. Joseph Medical Center	Reading, 19603
St. Mary Medical Center	Langhorne, 19047
UPMC Mercy	Pittsburgh, 15219
Williamsport Regional Medical Center	Williamsport, 17701

Hospitals that may not Provide any Sexual Assault Emergency Services

Under 28 Pa. Code § 117.58(1)(ii), the Department publishes the following list of hospitals that have provided notice to the Department that the hospital may not provide any sexual assault emergency services due to the limited services provided by the hospital:

<i>Hospital Name</i>	<i>City, Zip Code</i>
Allied Services Institute of Rehabilitation—Scranton	Scranton, 18501
John Heinz Institute of Rehabilitation Medicine—Wilkes-Barre	Wilkes-Barre Township, 18702
Millcreek Community Hospital	Erie, 16509
Physicians Care Surgical Hospital	Royersford, 19468
Rothman Orthopedic Specialty Hospital	Bensalem, 19020
Geisinger—Shamokin Area Community Hospital	Coal Township, 17866-9697
Kindred Hospital South Philadelphia	Philadelphia, 19145

Additional information regarding the sexual assault victim emergency services regulations and emergency contraception and an up-to-date list of hospitals not providing emergency contraception under 28 Pa. Code § 117.57 or not providing any sexual assault emergency services under 28 Pa. Code § 117.58 is available on the Department’s web site at www.health.state.pa.us.

The notice in the *Pennsylvania Bulletin* or on the Department’s web site of the lists of hospitals not providing emergency contraception under 28 Pa. Code § 117.57, or not providing any sexual assault emergency services under 28 Pa. Code § 117.58, may not be deemed an acknowledgement or confirmation by the Department that the hospitals are in compliance with the requirements of the regulations.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Garrison E. Gladfelder, Jr., Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 783-8980, fax (717) 772-2163, 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,
Acting Secretary

[Pa.B. Doc. No. 18-224. Filed for public inspection February 9, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Disproportionate Share and Supplemental Hospital Payments

The Department of Human Services (Department) is providing final notice of its funding allocation for inpatient disproportionate share hospital (DSH) payments to qualifying inpatient acute care general, psychiatric and rehabilitation hospitals, and qualifying psychiatric and

rehabilitation units of acute care general hospitals, outpatient supplemental payments to qualifying inpatient acute care general hospitals and direct medical education payments to qualifying inpatient acute care general hospitals for Fiscal Year (FY) 2017-2018. The Department is also providing final notice of its annual funding allocation for certain DSH and supplemental payments to new hospitals. The Department is not otherwise changing the qualifying criteria or payment methodology for these payments.

The Department published notice of its intent to allocate funding for these payments at 47 Pa.B. 6013 (September 23, 2017). The Department received no public comments during the 30-day comment period and will implement the change as described in its notice of intent.

Fiscal Impact

The FY 2017-2018 impact, as a result of the funding allocation for these payments, \$259.307 million (\$124.933 million in State general funds).

TERESA D. MILLER,
Acting Secretary

Fiscal Note: 14-NOT-1209. (1) General Fund; (2) Implementing Year 2017-18 is \$124,933,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; (7) Medical Assistance—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-225. Filed for public inspection February 9, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Payment for Nursing Facility Services Provided by County Nursing Facilities; County Nursing Facility Supplementation Payment for Fiscal Year 2017-2018

This announcement provides advance notice that the Department of Human Services (Department) intends to continue to make an additional payment to certain county nursing facilities in Fiscal Year (FY) 2017-2018.

Proposed Payment

The Department will make a county nursing facility supplementation payment to each qualified county nursing facility. To qualify, a county nursing facility must be located in a home rule county that was formerly a county of the second class A, have more than 725 beds and a Medicaid acuity of 0.79 as of August 1, 2015. The number of beds will be the number of licensed beds as of August 1, 2015, and the Medicaid acuity will be determined using the Case Mix Index Report for the August 1, 2015, Picture Date in accordance with 55 Pa. Code § 1187.33 (relating to resident data and picture date reporting requirements).

The Department will calculate each qualified county nursing facility's supplementation payment for FY 2017-2018 by dividing total funds by the number of qualified county nursing facilities.

The Department will submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services

(CMS). If CMS approves the SPA, the total funds will consist of both State and Federal funding. The Department will use its best efforts to process this supplementation payment within 30 days of the date it receives notice from CMS.

Fiscal Impact

This change will result in a cost of \$4.151 million (\$2 million in State funds) for FY 2017-2018.

Public Comment

Interested persons are invited to submit written comments regarding the county nursing facility supplementation payment to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Acting Secretary

Fiscal Note: 14-NOT-1205. (1) General Fund; (2) Implementing Year 2017-18 is \$2,000,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$1,083,000,000; 2015-16 Program—\$968,083,000; 2014-15 Program—\$810,545,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-226. Filed for public inspection February 9, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Payment for Nursing Facility Services Provided by Nonpublic and County Nursing Facilities; Supplemental Ventilator Care and Tracheostomy Care Add-on Payment for Fiscal Year 2017-2018

This announcement provides advance notice that the Department of Human Services (Department) intends to make an additional payment in Fiscal Year (FY) 2017-2018 to nonpublic and county nursing facilities that qualified for supplemental ventilator care and tracheostomy care payments in FY 2014-2015.

Proposed Payment

The Department will make an additional supplemental ventilator care and tracheostomy care payment to qualified nonpublic and county nursing facilities. This additional payment will be made to nonpublic and county nursing facilities that qualified for supplemental ventilator care and tracheostomy care payments in FY 2014-2015 with a percentage of Medical Assistance residents who required medically necessary ventilator care or tracheostomy care greater than 90%.

The Department will calculate each qualified nonpublic and county nursing facility's add-on payment for FY 2017-2018 by dividing the total funds for the supplemental ventilator care and tracheostomy care payment by the number of qualified nonpublic and county nursing facilities.

The Department will submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services (CMS). If CMS approves the SPA, the total funds will consist of both State and Federal funding. The Department will use its best efforts to process this payment within 30 days of the date it receives notice from CMS.

Fiscal Impact

This change will result in a cost of \$1.557 million (\$0.750 million in State funds) for FY 2017-2018.

Public Comment

Interested persons are invited to submit written comments regarding this supplemental ventilator care and tracheostomy care add-on payment to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Acting Secretary

Fiscal Note: 14-NOT-1206. (1) General Fund; (2) Implementing Year 2017-18 is \$750,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$1,083,000,000; 2015-16 Program—\$968,083,000; 2014-15 Program—\$810,545,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-227. Filed for public inspection February 9, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Payment for Nursing Facility Services Provided by Nonpublic Nursing Facilities Located in a County of the First Class; Nonpublic Nursing Facility Supplementation Payment for Fiscal Year 2017-2018

This announcement provides advance notice that the Department of Human Services (Department) intends to continue to make an additional payment to certain nonpublic nursing facilities in a county of the first class in Fiscal Year (FY) 2017-2018 to ensure access to necessary nursing care in that county.

Proposed Payment

The Department will make a nonpublic nursing facility supplementation payment to each qualified nonpublic nursing facility. To qualify, a nonpublic nursing facility must be located in a county of the first class, have more than 395 beds and a Medicaid acuity of 1.14 as of August 1, 2017. The number of beds will be the number of licensed beds as of August 1, 2017, and the Medicaid acuity will be determined using the Case Mix Index Report for the August 1, 2017, Picture Date in accordance with 55 Pa. Code § 1187.33 (relating to resident data and picture date reporting requirements).

The Department will calculate each qualified nonpublic nursing facility's supplementation payment for FY 2017-2018 by dividing the total funds for the supplementation payments by the number of qualified nonpublic nursing facilities.

The Department will submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services (CMS). If CMS approves the SPA, the total funds will consist of both State and Federal funding. The Department will use its best efforts to process this supplementation payment within 30 days of the date it receives notice from CMS.

Fiscal Impact

This change will result in a cost of \$2.076 million (\$1 million in State funds) for FY 2017-2018.

Public Comment

Interested persons are invited to submit written comments regarding the nonpublic nursing facility supplementation payment to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Acting Secretary

Fiscal Note: 14-NOT-1208. (1) General Fund; (2) Implementing Year 2017-18 is \$1,000,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$1,083,000,000; 2015-16 Program—\$968,083,000; 2014-15 Program—\$810,545,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-228. Filed for public inspection February 9, 2018, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Payment for Nursing Facility Services Provided by Nonpublic Nursing Facilities Located in a County of the Eighth Class; Nonpublic Nursing Facility Supplementation Payment for Fiscal Year 2017-2018

This announcement provides advance notice that the Department of Human Services (Department) intends to continue to make an additional payment to certain nonpublic nursing facilities in a county of the eighth class in Fiscal Year (FY) 2017-2018 to ensure access to necessary nursing home care in that county.

Proposed Payment

The Department will make a nonpublic nursing facility supplementation payment to each qualified nonpublic nursing facility. To qualify, a nonpublic nursing facility must be located in a county of the eighth class, have more than 119 beds and a Medicaid acuity of 1.02 as of August 1, 2017. The number of beds will be the number of

licensed beds as of August 1, 2017, and the Medicaid acuity will be determined using the Case Mix Index Report for the August 1, 2017, Picture Date in accordance with 55 Pa. Code § 1187.33 (relating to resident data and picture date reporting requirements).

The Department will calculate each qualified nonpublic nursing facility's supplementation payment for FY 2017-2018 by dividing the total funds for the supplementation payment by the number of qualified nonpublic nursing facilities.

The Department will submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services (CMS). If CMS approves the SPA, the total funds will consist of both State and Federal funding. The Department will use its best efforts to process this supplementation payment within 30 days of the date it receives notice from CMS.

Fiscal Impact

This change will result in a cost of \$10.378 million (\$5 million in State funds) for FY 2017-2018.

Public Comment

Interested persons are invited to submit written comments regarding the nonpublic nursing facility supplementation payment to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Acting Secretary

Fiscal Note: 14-NOT-1204. (1) General Fund; (2) Implementing Year 2017-18 is \$5,000,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$1,083,000,000; 2015-16 Program—\$968,083,000; 2014-15 Program—\$810,545,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-229. Filed for public inspection February 9, 2018, 9:00 a.m.]

**DEPARTMENT OF
HUMAN SERVICES**

Payment for Nursing Facility Services Provided by a Special Rehabilitation Facility Located in a City of the Third Class; Special Rehabilitation Facility Payment for Fiscal Year 2017-2018

This announcement provides advance notice that the Department of Human Services (Department) intends to make an additional payment to a special rehabilitation facility in peer group 13 (PG 13) located in a city of the third class in Fiscal Year (FY) 2017-2018.

Proposed Payment

The Department will make a payment to a qualified special rehabilitation facility in PG 13. To qualify, the

special rehabilitation facility must be located in a city of the third class with a population between 115,000 and 120,000 based on 2010 census data.

The Department will submit a State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services (CMS). If CMS approves the SPA, the total funds will consist of both State and Federal funding. The Department will use its best efforts to process this payment within 30 days of the date it receives notice from CMS.

Fiscal Impact

This change will result in a cost of \$1.764 million (\$0.850 million in State funds) for FY 2017-2018.

Public Comment

Interested persons are invited to submit written comments regarding the special rehabilitation facility payment to the Department of Human Services, Office of Long-Term Living, Bureau of Policy and Regulatory Management, Attention: Marilyn Yocum, P.O. Box 8025, Harrisburg, PA 17105-8025. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Acting Secretary

Fiscal Note: 14-NOT-1207. (1) General Fund; (2) Implementing Year 2017-18 is \$850,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$1,083,000,000; 2015-16 Program—\$968,083,000; 2014-15 Program—\$810,545,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-230. Filed for public inspection February 9, 2018, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Approval of Recommendations for No Change

On August 15, 2017, the Environmental Quality Board (Board) approved recommendations for no change to existing stream designations for streams that were evaluated in response to three petitions as follows:

<i>Stream</i>	<i>County</i>	<i>Petitioner</i>
Pickering Creek	Chester	Green Valleys Association
Dwarfs Kill	Pike	Dwarfs Kill Watershed Association
Little Sewickley Creek	Allegheny	Duquesne University

The Department of Environmental Protection (Department) evaluated the physical, chemical and biological characteristics and other information on these waterbodies to determine the appropriateness of the current and requested designations using applicable regulatory criteria and definitions. In reviewing whether waterbodies qualify as High Quality (HQ) or Exceptional Value (EV) waters, the Department considers the criteria in 25 Pa. Code § 93.4b (relating to qualifying as High Quality or Exceptional Value Waters).

The “outstanding resource waters” EV qualifier in 25 Pa. Code § 93.4b(b)(1)(iii) was considered for the Pickering Creek basin from its source to the Philadelphia Suburban Water Company Dam since this portion of the petitioned basin already has the prerequisite HQ designation. This qualifier establishes requirements for National, State, regional and local resource waters. To qualify for outstanding National or State resource waters, a government agency must adopt water quality protection measures for the waters. Waters that do not meet this criterion were identified in the petition. In addition, no public lands encompass Pickering Creek basin from its source to the Philadelphia Suburban Water Company Dam.

The Department’s integrated benthic macroinvertebrate scoring test described in 25 Pa. Code § 93.4b(b)(1)(v) was applied to Dwarfs Kill. Based on petitioner information regarding certain EV regulatory criteria that may apply, the Department evaluated additional antidegradation criteria listed in 25 Pa. Code § 93.4b(b) including: (1) the water is an outstanding National, State, regional or local resource water in 25 Pa. Code § 93.4b(b)(1)(iii); (2) the water is a surface water of exceptional recreational significance in 25 Pa. Code § 93.4b(b)(1)(iv); and (3) the water is a surface water of exceptional ecological significance in 25 Pa. Code § 93.4b(b)(2). The Department determined that Dwarfs Kill did not meet any of these

criteria and therefore recommended that the Dwarfs Kill basin maintain its current designated use.

The Department’s integrated benthic macroinvertebrate scoring test described in 25 Pa. Code § 93.4b(b)(1)(v) was also applied to Little Sewickley Creek. The biological condition scores of the candidate stations did not meet the 92% comparison standard required to qualify as EV waters. Further, samples were dominated by pollution tolerant and facultative anaerobic macroinvertebrates. Due to the poor macroinvertebrate diversity and high number of pollution tolerant taxa, Little Sewickley Creek will be listed in the Pennsylvania Integrated Water Quality Monitoring and Assessment Report as impaired for the aquatic life use.

Additional detail can be accessed in Stream Evaluation Reports that were provided to the Board. These are available to the public by contacting the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526. They are accessible on the Department’s web site at www.dep.pa.gov (select “Public Participation,” then “Environmental Quality Board (EQB),” then “2017 Meetings,” under “Meeting Agendas/Minutes/Handouts” see “August 15, 2017”).

PATRICK McDONNELL,
Chairperson

[Pa.B. Doc. No. 18-231. Filed for public inspection February 9, 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.

Reg. No.	Agency/Title	Close of the Public Comment Period	IRRC Comments Issued
57-317	Pennsylvania Public Utility Commission Motor Carrier Age Requirement 47 Pa.B. 7235 (November 25, 2017)	12/26/17	01/25/18

**Pennsylvania Public Utility Commission Regulation
57-317 (IRRC # 3185)
Motor Carrier Age Requirement
January 25, 2018**

We submit for your consideration the following comments on the proposed rulemaking published in the November 25, 2017 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source.

1. Intent of the amendments.—Clarity; Reasonableness; Economic impact.

The Executive Summary of the Preamble explains the intent of the proposed regulation:

The Pennsylvania Public Utility Commission’s current regulations require that drivers of paratransit

vehicles be at least 21 years old. The Department of Health oversees emergency medical transportation and allows drivers 18 years and older to operate ambulances, if the drivers have proper training and certification. Many ambulance companies also operate paratransit service and cannot utilize the under 21 year-old ambulance driver in their paratransit service. This has caused operation and hiring problems for these companies. *The Pennsylvania Public Utility Commission has granted several waivers with respect to the 21 year age requirement to paratransit operators so that ambulance drivers under 21 may also operate paratransit vehicles.* 66 Pa.C.S. § 501. *This proposed rulemaking reduces the minimum age requirement for paratransit drivers to 18 years of age under limited circumstances.*

(Emphasis added.)

We agree with the PUC’s stated intent to reduce the minimum age requirement to 18 years of age for properly

qualified drivers. This comment is directed to the proposed wording of amendments shown in Annex A of the proposed regulation.

The PUC proposes amending Section 29.503 of existing regulation by adding an exception to the existing minimum age 21 requirement as Subsection (b). Subsection (b) states, in part:

(b) A common or contract carrier providing paratransit service may permit a person to operate a paratransit vehicle in its authorized service if that person is at least 18 years of age. All of the following conditions shall be met: . . .

The conditions include certification as an Emergency Medical Services Vehicle Operator (EMSVO).

The concern is that the exception in Subsection (b) is not limited to drivers under 21 years of age. While we do not believe this was the PUC's intent, the wording of Annex A in the proposed regulation would require all drivers to have EMSVO certification, including current drivers over 21. For the final regulation, we recommend that the PUC amend Annex A to clearly implement its stated intent.

2. Department of Health (Department) statute and regulations—Consistency with statute; Protection of the Public Health, Safety and Welfare; Reasonableness; Feasibility; Implementation procedures.

Subsection (b) lists four conditions a person at least 18 years of age must meet to operate a vehicle, including EMSVO certification by the Department. Below are our concerns relating to reliance on Department statute and regulations.

Disqualification

The Department's statute includes provisions relating to discipline of a driver including:

- Grounds for suspension (35 Pa.C.S. § 8122(d));
- Suspension of certification (35 Pa.C.S. § 8122(e));
- Reporting responsibilities and automatic suspension (35 Pa.C.S. § 8122(f)); and
- Suspension of certification (35 Pa.C.S. § 8123), including temporary suspensions and automatic suspensions.

These provisions include many safety provisions relating to reckless driving, driving under the influence of alcohol or drugs, and requiring a driver to report to the Department when their driver's license is suspended for a conviction for reckless driving, a felony, or a misdemeanor. We also note that 35 Pa.C.S. § 8123(a) states, in part:

The department may temporarily suspend the certification of an EMS provider or EMS vehicle operator without a hearing if the department determines that the person is a clear and immediate danger to the public health and safety.

By statute, the Department has broad discretion to suspend the driving privileges of dangerous drivers. However, how would the PUC know whether one of the drivers under its jurisdiction had driving privileges suspended by the Department? The PUC should explain how its adoption of Department requirements adequately protects the public from dangerous drivers under the PUC's jurisdiction.

Driver history and criminal history

The PUC regulation would establish different requirements for classes of drivers regarding the record check of

the driver's history and criminal history and what actions would disqualify a driver. The three classes of drivers and qualifications are:

- Common or contract carrier drivers at least 18 years of age with EMSVO certification, under Paragraph (b)(1), must meet the Department's requirements "under 35 Pa.C.S. § 8122 (relating to emergency medical services vehicle operators) and 28 Pa. Code §§ 1023.21—1023.34 (relating to EMS providers and vehicle operators)." These requirements are thorough, specifically addressing convictions for driving under the influence of alcohol or drugs, reckless driving, moving traffic violations and driver license suspensions. Additionally, under 35 Pa.C.S. § 8122(f), an EMSVO must report to the Department "a suspension of that person's driver's license or a conviction of reckless driving, a felony, a misdemeanor or any other crime that is not a summary offense or equivalent."

- Common or contract carrier drivers at least 21 years of age under existing PUC regulation, must have a driver history check under 52 Pa. Code § 29.504(a), but this subsection does not specify what transgressions in the history would disqualify a driver. Carriers are also required to obtain a driver's criminal history under 52 Pa. Code § 29.505(a), but disqualification under Paragraph (3) is limited to felony and misdemeanor convictions and by the vague phrase "to the extent the conviction relates adversely to that person's suitability to provide service safely and legally."

- Call or demand and limousine drivers, under 52 Pa. Code § 29.504(b)(1), must have a driver history check that includes disqualification for moving violations and major violations. They are also subject to disqualification if a criminal background check shows the applicant was convicted of any one of nine specific crimes.

Given that all of these drivers use public roads, we question why the PUC requirements vary for different driver classifications and ultimately how these provisions adequately protect the public from dangerous drivers. We note that since Subsection (b), as written, would subject all drivers to EMSVO certification, the requirements for checking driver history and criminal history would significantly change. We recommend that the PUC review its requirements for driver history checks, criminal history checks and disqualifications. In the final submittal, the PUC should explain how these standards adequately protect the public and are in the public interest. To the extent that requirements vary between driver classifications, the PUC should explain why these requirements are appropriate for each driver classification and why the requirements should vary.

Paragraph (b)(1)

This paragraph states:

The person shall be certified as an emergency medical services vehicle operator (EMSVO) by the Department of Health (Department) after meeting the requirements under 35 Pa.C.S. § 8122 (relating to emergency medical services vehicle operators) and 28 Pa. Code §§ 1023.21—1023.34 (relating to EMS providers and vehicle operators).

We have four concerns with Paragraph (b)(1). First, Paragraph (b)(1) states a person shall be certified by the Department "after meeting the requirements under 35 Pa.C.S. § 8122 (relating to emergency medical services vehicle operators) and 28 Pa. Code §§ 1023.21—1023.34 (relating to EMS providers and vehicle operators)." The intent of including this phrase in PUC regulation is not clear. Does the PUC intend to accept Department certifi-

cation or does the PUC also intend to review whether a person met 35 Pa.C.S. § 8122 and 28 Pa. Code §§ 1023.21—1023.34? This phrase should be deleted or amended in the final regulation.

Second, 35 Pa.C.S. § 8122(b) Registration states an EMSVO's certification must additionally be registered and an operator "may not operate a ground EMS vehicle unless the certification is currently registered." Why does the PUC regulation allow persons to drive after meeting "certification" requirements when, by statute, the Department cannot allow a certified person to drive until after the certification is registered? This inconsistency should be reconciled in the final regulation.

Third, Paragraph (b)(1) requires a driver to meet the Department's requirements under "28 Pa. Code §§ 1023.21—1023.34 (relating to EMS providers and vehicle operators)." These requirements include many provisions unrelated to driving, such as scope of practice and continuing education. The scope of the cross-reference should be limited to requirements that establish training to safely drive a vehicle.

Fourth, relating to registration, 35 Pa.C.S. § 8122(b) treats "Quick Response Service" (QRS) differently than EMSVO, in that a QRS is required to be certified but does not have to be registered. The regulation should address the status of a certified QRS to drive under the PUC's jurisdiction.

Paragraph (b)(2)

This paragraph states:

The person shall carry the Department-issued EMSVO certification on board while operating a paratransit vehicle.

It is not clear what specific documentation the person must carry. Is this the identification issued under the Department's 28 Pa. Code § 1023.21(h)? The regulation should cross-reference the appropriate provision to clarify how to comply with the PUC's regulation. Additionally, the description of the document in the PUC regulation should be consistent with the Department regulation which requires "a card or certificate issued by the Department that shows current *registration*." (Emphasis added.)

Paragraph (b)(3)

This paragraph states:

The carrier shall comply with all applicable Department regulations and maintain records for 4 years to prove each person's EMSVO certification. The records must be available for inspection by Commission staff upon request.

We have three concerns. First, this provision directs PUC carriers to comply with another agency's regulations. How could the PUC enforce Department regulations and under what authority? This provision should be deleted. Alternatively, the PUC should rewrite this provision to better explain its purpose and how it would be enforced.

Second, this sentence is vague by requiring compliance with "all applicable" Department regulations. It is not clear how to comply with this requirement because it is not clear who determines which Department regulations are applicable. The regulation should cross-reference the specific Department regulation to be complied with.

Third, this provision begins by addressing compliance with Department regulations and then addresses record requirements. It is not clear how these requirements are related or even if they are related. These directives

should be expressed separately for clarity. Alternatively, the PUC should explain how these requirements are related.

3. Paragraph (b)(4)—Protection of the public health, safety and welfare; Clarity.

This paragraph states:

The carrier shall immediately notify the Commission's Bureau of Technical Utility Services of an accident involving a paratransit driver who is under 21 years of age, regardless of the severity of the accident.

We have two concerns. First, while we support notification of an accident, we again express our concern that the regulation does not clearly require reporting of driving-related violations such as moving violations, reckless driving and driving under the influence of alcohol or drugs.

Second, the word "immediately" is vague. It should be replaced by a specific time period for reporting.

4. Regulatory Analysis Form (RAF).—Compliance with the Regulatory Review Act and regulations of the Commission.

RAF Question 12

RAF Question 12 asks how this regulation compares with other states and how the regulation will affect Pennsylvania's ability to compete with other states. The response does not include a comparison to other states. What are the age restrictions in other states? We recommend developing a direct and thorough response to RAF Question 12.

RAF Questions 18 through 24

The PUC responses to these RAF questions include almost no dollar estimates, and where a dollar estimate is included, it is not reflected consistently throughout the responses. As examples, we note the following:

- The response to RAF 19 states that petitioning the PUC for a waiver costs over \$500. However, that savings to the regulated community is not reflected in the response to RAF 23.

- The RAF 21 response explains a reduction of workload for state government, but does not provide "a specific estimate of the costs and/or savings to the state government" as requested. Related to this concern, why are savings to state government "N/A" in response to RAF 23?

- Why is the response to RAF 23a "N/A"?

- RAF Question 24(b) asks for an economic impact statement that includes projected administrative costs for compliance. The response does not provide a cost estimate.

- What is the cost to acquire and maintain EMSVO certification?

The PUC should include as many dollar estimates in its RAF responses as possible and apply them consistently. If a cost is not quantifiable or not applicable, the PUC should explain why. The PUC should review and amend its responses to RAF 18 through 24 so that we can better evaluate whether the final regulation is in the public interest.

5. Miscellaneous clarity.*Subsection (a)*

As amended, Subsection (a) would state:

Except as provided in subsection (b), a common or contract carrier may not permit a person to operate a vehicle in its authorized service unless that person is at least 21 years of age.

The wording lacks clarity because it uses an exception, and the age requirement is expressed in the negative. See *Pennsylvania Code and Bulletin Style Manual*, Chapter 8. We recommend rewriting Subsection (a).

Content of Paragraphs (b)(2) to (4)

These provisions are under Section 29.503. Age restrictions, but their content does not relate to age restrictions. We recommend moving these provisions elsewhere in the regulation.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 18-232. Filed for public inspection February 9, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT**Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Community Healthcare Operator, Inc.**

Community Healthcare Operator, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Home of the Brethren in Windber, PA. The initial filing was received on January 29, 2018, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient details to inform the Department of the exact basis of the statement. Written statements should be directed to Karen M. Feather, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, kfeather@pa.gov.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 18-233. Filed for public inspection February 9, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT**Continental General Insurance Company (SERFF # GLTC-131216195); Rate Increase Filing for Several Individual LTC Forms**

Continental General Insurance Company is requesting approval to increase the premium 227.8% on 45 policy-

holders of forms 440, 442, 443, 444, 445, 446, 448, 449, 450, 460, 461, 462, 463, 470 and 471.

Unless formal administrative action is taken prior to April 26, 2018, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 18-234. Filed for public inspection February 9, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT**Notice to Workers' Compensation Insurance Carriers; Special Schedule "W" Data Call**

The Insurance Department (Department) is conducting its annual workers' compensation Special Schedule "W" data call. Authority for this data is section 655 of The Insurance Company Law of 1921 (40 P.S. § 815).

Insurance companies that write workers' compensation insurance in this Commonwealth are required to complete the data call on or before April 16, 2018.

Consistent with prior Special Schedule "W" data calls, the cover letter, general instructions and instructions for limitations affecting unpaid claims estimates are available on the Department's web site at www.insurance.pa.gov (select "Companies," then "Industry Activity," then "Data Calls").

An e-mail announcing the data call was sent to all Pennsylvania workers' compensation insurance carriers.

The Pennsylvania Compensation Rating Bureau's (Bureau) Financial Data Reporting Application (FDRA) will again be used to report all Special Schedule "W" information (including Coal Mine experience) instead of submitting directly to the Department. Refer to the Bureau's web site, www.pcrb.com, for further information on reporting workers' compensation experience for Special Schedule "W" by the FDRA.

Questions regarding this data call should be directed to Bojan Zorkic, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 787-6968, bzorkic@pa.gov.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 18-235. Filed for public inspection February 9, 2018, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to Administrative Rules of Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Robert Brannon; State Farm Fire & Casualty Insurance Company; File No. 18-118-219277; Doc. No. P18-01-003; February 28, 2018, 9:30 a.m.

Following the hearing and receipt of the stenographic transcript, the Acting Insurance Commissioner (Acting Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Acting Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Acting Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Human Resources at (717) 783-4308.

JESSICA K. ALTMAN,
Acting Insurance Commissioner

[Pa.B. Doc. No. 18-236. Filed for public inspection February 9, 2018, 9:00 a.m.]

JOINT COMMITTEE ON DOCUMENTS

Notice of Filing of Final Rulemaking

The Joint Committee on Documents (Committee) received the following regulation. It is scheduled to be considered on the date noted. The Committee's public meeting will be held at 10 a.m. in Room 461, Senate Wing, Main Capitol Building, Harrisburg, PA 17120.

To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Committee will provide a copy. Individuals should contact the Legislative Reference Bureau, Pennsylvania Code and Bulletin Office at (717) 783-1530.

<i>Final Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
70-9	Independent Regulatory Review Commission General Revisions	10/31/17	3/1/18

VINCENT C. DeLIBERATO, Jr.,
Chairperson

[Pa.B. Doc. No. 18-237. Filed for public inspection February 9, 2018, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Please note that protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 26, 2018. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through

Friday, and at the business address of the respective applicant.

Application of the following for approval to *begin operating as common carriers for transportation of persons* as described under the application.

A-2018-2642920. Medical Transportation Providers, LLC (104 Diamond Street, 2nd Floor, Philadelphia, PA 19122) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from various points in the City of Philadelphia, solely within city boundaries, for nonemergency medical transit purposes, to points in Pennsylvania, and return.

Application of the following for approval to *discontinue operating as common carriers for transportation of household goods in use* as described under the application.

A-2018-2643388. Vesely Brothers Moving & Storage, Inc. (316 Finley Road, Belle Vernon, Fayette County, PA 15012) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, household goods in use and property, from points in the Counties of Allegheny, Fayette, Washington, West-

moreland and vice versa, as more thoroughly described in the original ordering paragraphs at A-00102958, F.1 and F.1 Am-A.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-238. Filed for public inspection February 9, 2018, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due February 26, 2018, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Steve Twigg Trucking, Inc.; Docket No. C-2017-2634786

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Steve Twigg Trucking, Inc., (respondent) is under suspension effective November 11, 2017 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 35 Spalding Hill Road, Troy, PA 16947.
3. That respondent was issued a Certificate of Public Convenience by this Commission on March 04, 2010, at A-8911776.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue

an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8911776 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 12/7/2017

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current

insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Fiero Towing, LLC; Docket No. C-2017-2636830

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Fiero Towing, LLC, (respondent) is under suspension effective November 22, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 2626 West Main Street, Trooper, PA 19403.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 16, 2015, at A-8917251.

4. That respondent has failed to maintain evidence of Liability insurance and Cargo Insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8917251 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 12/12/2017

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If

your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Sams Deliveries, Inc.; Docket No. C-2017-2637623

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Sams Deliveries, Inc., (respondent) is under suspension effective November 24, 2017 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 110 2nd Avenue, Walnutport, PA 18088.
3. That respondent was issued a Certificate of Public Convenience by this Commission on December 01, 2015, at A-8918288.
4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8918228 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
 David W. Loucks, Chief
 Motor Carrier Enforcement
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 12/12/2017

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of

insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Diamond Bus & Limo Co.; Docket No. C-2017-2637653

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Diamond Bus & Limo Co., (respondent) is under suspension effective November 23, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 4425 Rising Sun Avenue, Philadelphia, PA 19140.

3. That respondent was issued a Certificate of Public Convenience by this Commission on August 20, 2008, at A-00124022.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00124022 for failure

to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 12/12/2017

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint

by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 18-239. Filed for public inspection February 9, 2018, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Donna Pirtle, LPN; File No. 12-51-05161; Doc. No. 1677-51-13

On September 15, 2017, Donna Pirtle, LPN, Pennsylvania license No. PN150266L, last known of Sacramento, CA, had her practical nurse license reprimanded based on receiving disciplinary action by the proper licensing authority of another state.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,
Chairperson

[Pa.B. Doc. No. 18-240. Filed for public inspection February 9, 2018, 9:00 a.m.]
