

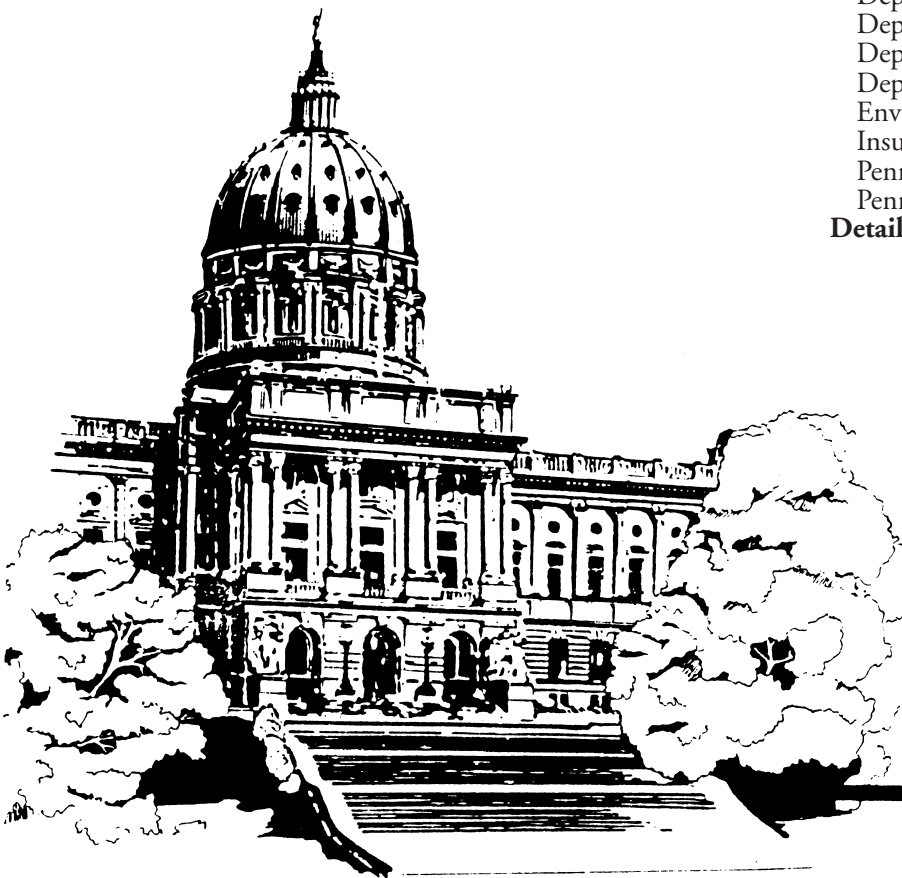
PENNSYLVANIA BULLETIN

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Agencies in this issue

The Governor
The Courts
Department of Banking and Securities
Department of Community and Economic
Development
Department of Education
Department of Environmental Protection
Department of Health
Department of Human Services
Department of Revenue
Environmental Quality Board
Insurance Department
Pennsylvania Infrastructure Investment Authority
Pennsylvania Public Utility Commission

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

No. 532, March 2019

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Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2019.

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THE GOVERNOR

GOVERNOR'S OFFICE

Amendment to Proclamation of Disaster Emergency

March 20, 2019

Whereas, on January 10, 2018, I declared a disaster emergency due to the opioid crisis that is ravaging the country, including the Commonwealth of Pennsylvania and its citizens;

Whereas, my Proclamation of Disaster Emergency of January 10, 2018, was renewed by Amendment to Proclamation of Disaster Emergency (1st Amendment) on April 4, 2018, for an additional ninety days. The April 4, 2018, 1st Amendment would have automatically expired by operation of law on July 3, 2018, unless further extended by my official renewal;

Whereas, I renewed the Proclamation of Disaster Emergency for an additional ninety days by official action on June 28, 2018. The June 28, 2018, Amendment to Proclamation of Disaster Emergency (2nd Amendment) was set to expire by operation of law on September 26, 2018, unless further extended by my official renewal;

Whereas, I renewed the Proclamation of Disaster Emergency for an additional ninety days by official action on September 24, 2018. The September 24, 2018, Amendment to Proclamation of Disaster Emergency (3rd Amendment) was set to expire by operation of law on December 23, 2018, unless further extended by my official renewal;

Whereas, I renewed the Proclamation of Disaster Emergency for an additional ninety days by official action on December 21, 2018. The December 21, 2018, Amendment to Proclamation of Disaster Emergency (4th Amendment) is set to expire by operation of law on March 21, 2019, unless further extended by my official renewal;

Whereas, the opioid crisis continues to be of such magnitude or severity that emergency action is necessary to protect the health, safety and welfare of affected citizens in Pennsylvania;

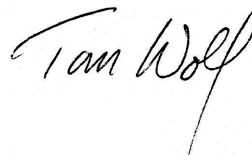
Whereas, the opioid crisis continues to be a public health emergency in Pennsylvania contributing to addiction, overdose emergencies and deaths; and

Whereas, investigations by the Opioid Unified Coordination Group indicate that additional resources of the Commonwealth may be needed to mitigate and contend with the magnitude and severity of this continuing and expanding disaster emergency.

Now Therefore, pursuant to the provisions of section 7301(c) of the Emergency Management Services Code, 35 Pa.C.S. § 7301(c), I do hereby order and direct as follows:

1. The Proclamation of Disaster Emergency of January 10, 2018, renewed by Amendments to Proclamation of Disaster Emergency dated April 4, 2018, June 28, 2018, September 24, 2018, and December 21, 2018, is renewed for an additional period of ninety days, and shall continue to apply to the Commonwealth of Pennsylvania.
2. All directives, authorized actions and provisions of the January 10, 2018, Proclamation of Disaster Emergency, and the April 4, 2018, June 28, 2018, September 24, 2018, and December 21, 2018, Amendments to Proclamation of Disaster Emergency shall remain in full force and effect until either rescinded by me or terminated by operation of law ninety days following the effective date of this Proclamation Amendment.
3. This Proclamation Amendment shall take effect immediately.

Given under my hand and the Seal of the Governor, at the City of Harrisburg, this twentieth day of March two thousand nineteen, the year of the commonwealth the two hundred and forty-third.

A handwritten signature in black ink that reads "Tom Wolf". The signature is written in a cursive style with a long, sweeping tail on the letter "f".

Governor

[Pa.B. Doc. No. 19-445. Filed for public inspection March 29, 2019, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 5]

Order Amending Rule 511 of the Pennsylvania Rules of Appellate Procedure; No. 280 Appellate Procedural Rules Doc.

Order

Per Curiam

And Now, this 15th day of March, 2019, upon the recommendation of the Appellate Court Procedural Rules Committee; the proposal having been published for public comment at 47 Pa.B. 4810 (August 19, 2017):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 511 of the Pennsylvania Rules of Appellate Procedure is amended in the following form.

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

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE I. PRELIMINARY PROVISIONS

CHAPTER 5. PERSONS WHO MAY TAKE OR PARTICIPATE IN APPEALS

MULTIPLE APPEALS

Rule 511. [Cross Appeals] Cross-Appeals.

The timely filing of an appeal shall extend the time for any other party to [cross appeal as set forth in Rules 903(b) (cross appeals) 1113(b) (cross petitions for allowance of appeal) and 1512(a)(2) (cross petitions for review)] cross-appeal as set forth in Pa.R.A.P. 903(b) (cross-appeals), 1113(b) (cross-petitions for allowance of appeal), and 1512(a)(2) (cross-petitions for review). The discontinuance of an appeal by a party shall not affect the right of appeal or cross-appeal of any other party regardless of whether the parties are adverse.

Official Note: [The 2002 amendment clarifies the intent of the former rule that the filing of an appeal extends the time within which any party may cross appeal as set forth in Rules 903(b), 1113(b) and 1512(a)(2) and that a discontinuance of an appeal by a party will not affect the right of any other party to file a timely cross appeal under Rules 903(b), 1113(b) or 1512(a)(2) or to otherwise pursue an appeal or cross appeal already filed at the time of the discontinuance. The discontinuance of the appeal at any time before or after a cross appeal is filed will not affect the right of any party to file or discontinue a cross appeal.

The 2002 amendment eliminates the requirement that a party be adverse in order to file a cross appeal and supersedes *In Re Petition of the Board of School Directors of the Hampton Township School District*, 688 A.2d 279 (Pa. Cmwlth. 1997), to the

extent that decision requires that a party be adverse to the initial appellant in order to file a cross appeal. See Rule 903(b).]

See also [Rules] Pa.R.A.P. 2113, 2136, and 2185 regarding briefs in [cross appeals] cross-appeals and [Rule] Pa.R.A.P. 2322 regarding oral argument in multiple appeals.

An appellee should not be required to file a [cross appeal] cross-appeal because the [Court] court below ruled against it on an issue, as long as the judgment granted appellee the relief it sought. [See *Ratti v. Wheeling Pittsburgh Steel Corp.*, 758 A.2d 695 (Pa. Super. 2000) and *Hashagen v. Worker's Compensation Appeal Board*, 758 A.2d 276 (Pa. Cmwlth. 2000). To the extent that *Saint Thomas Township Board of Supervisors v. Wycko*, 758 A.2d 755 (Pa. Cmwlth. 2000) is in conflict, it is disapproved.] See *Lebanon Valley Farmers Bank v. Commonwealth*, 83 A.3d 107, 112 (Pa. 2013); *Basile v. H & R Block, Inc.*, 973 A.2d 417, 421 (Pa. 2009).

If, however, an intermediate appellate court awards different relief than the trial court or other government unit, a party may wish to file a cross-petition for allowance of appeal under Pa.R.A.P. 1112. See, e.g., *Meyer, Darragh, Buckler, Bebenek & Eck, P.L.L.C. v. Law Firm of Malone Middleman, P.C.*, 179 A.3d 1093, 1098 & n.5 (Pa. 2018); *Meyer, Darragh, Buckler, Bebenek & Eck, P.L.L.C. v. Law Firm of Malone Middleman, P.C.*, 137 A.3d 1247 (Pa. 2016).

In deciding whether to cross-appeal, parties may also consider that appellate courts have discretion, but are not required, to affirm for any reason appearing in the record. See *Commonwealth v. Fant*, 146 A.3d 1254, 1265 n.13 (Pa. 2016); *Pa. Dept. of Banking v. NCAS of Del., LLC*, 948 A.2d 752, 762 (Pa. 2008); *Am. Future Sys., Inc. v. Better Bus. Bureau of E. Pa.*, 923 A.2d 389, 401 (Pa. 2007).

[Pa.B. Doc. No. 19-446. Filed for public inspection March 29, 2019, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[243 PA. CODE CH. 2]

Proposed Amendment of Pa.R.Crim.P. 231

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Rule 231 (Who May be Present During Session of an Investigating Grand Jury) for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

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

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

All communications in reference to the proposal should be received by no later than Friday, May 10, 2019. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Criminal Procedural
Rules Committee*

BRIAN W. PERRY,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 2. INVESTIGATIONS

PART B(1). Investigating Grand Juries

Rule 231. Who May be Present During Session of an Investigating Grand Jury.

(A) The attorney for the Commonwealth, the alternate grand jurors, the witness under examination, and a stenographer may be present while the investigating grand jury is in session. Counsel for the witness under examination may be present as provided by law.

(B) The supervising judge, upon the request of the attorney for the Commonwealth or the grand jury, may order that an interpreter, security officers, and such other persons as the judge may determine are necessary to the presentation of the evidence may be present while the investigating grand jury is in session.

(C) All persons who are to be present while the grand jury is in session shall be identified in the record, shall be sworn to secrecy as provided in these rules, and shall not disclose **[any information pertaining to the grand jury except as provided by law] anything that transpires in the Grand Jury room and all matters occurring before the Grand Jury, except when disclosure is authorized by law or permitted by the supervising judge of the grand jury.**

(D) No person other than the permanent grand jurors may be present during the deliberations or voting of the grand jury.

Comment

As used in this rule, the term “witness” includes both juveniles and adults.

The 1987 amendment provides that either the attorney for the Commonwealth, or a majority of the grand jury, through their foreperson, may request that certain, speci-

fied individuals, in addition to those referred to in paragraph (A), be present in the grand jury room while the grand jury is in session. As provided in paragraph (B), the additional people would be limited to an interpreter or interpreters the supervising judge determines are needed to assist the grand jury in understanding the testimony of a witness; a security officer or security officers the supervising judge determines are needed to escort witnesses who are in custody or to protect the members of the grand jury and the other people present during a session of the grand jury; and any individuals the supervising judge determines are required to assist the grand jurors with the presentation of evidence. This would include such people as the case agent (lead investigator), who would assist the attorney for the Commonwealth with questions for witnesses; experts, who would assist the grand jury with interpreting difficult, complex technical evidence; or technicians to run such equipment as tape recorders, videomachines, *etc.*

It is intended in paragraph (B) that when the supervising judge authorizes a certain individual to be present during a session of the investigating grand jury, the person may remain in the grand jury room only as long as is necessary for that person to assist the grand jurors.

Paragraph (C), added in 1987, generally prohibits the disclosure of any information related to testimony before the grand jury. There are, however, some exceptions to this prohibition enumerated in Section 4549 of the Judicial Code, 42 Pa.C.S. § 4549. **Section 4549(d) permits a witness to disclose his or her testimony before the investigating grand jury unless prohibited for cause shown in a hearing before the supervising judge. This testimony also may be disclosed by the witness’ attorney with the explicit, knowing, voluntary, and informed consent of the client witness. See *In re Fortieth Statewide Investigating Grand Jury*, 191 A.3d 750 (Pa. 2018).**

Official Note: Rule 264 adopted June 26, 1978, effective January 9, 1979; amended June 5, 1987, effective July 1, 1987; renumbered Rule 231 and amended March 1, 2000, effective April 1, 2001; Comment revised January 18, 2013, effective May 1, 2013; **amended** , **2019, effective** , **2019.**

Committee Explanatory Reports:

Report explaining the June 5, 1987 amendments adding paragraphs (B)—(D) published at 17 Pa.B. 167 (January 10, 1987).

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

Final Report explaining the January 18, 2013 Comment revision concerning definition of witness as used in this rule published with the Court’s Order at 43 Pa.B. 653 (February 2, 2013).

Report explaining the proposed amendment to paragraph (C) regarding the scope of the secrecy requirement published for comment at 49 Pa.B. 1511 (March 30, 2019).

REPORT

Proposed Amendment of Pa.R.Crim.P. 231

Counsel Secrecy Obligation in Investigating Grand Juries

The Committee, at the Court’s request, has undertaken a review of the language in Rule 231(C) regarding non-disclosure of investigating grand jury testimony in

light of *In Re Fortieth Statewide Investigating Grand Jury*, 191 A.3d 750 (Pa. 2018). In this case, the grand jury was investigating alleged child abuse by Roman Catholic clergy. Subpoenas were issued to the Dioceses of Harrisburg and Greensburg. Attorneys representing the Dioceses requested copies of the notice of submission that the Office of the Attorney General had submitted to the supervising judge. The supervising judge replied that this would be provided once the counsel had signed and submitted an entry of appearance. The entry of appearance required the attorneys to agree under oath “to keep secret all that transpires in the Grand Jury room, all matters occurring before the Grand Jury, and all matters and information concerning this Grand Jury obtained in the course of the representation, except when authorized by law or permitted by the Court. 42 Pa.C.S. § 4549(b).”

The attorneys for the Dioceses filed a joint motion to strike the non-disclosure provision from the entry of appearance form, arguing that the statutory secrecy provisions did not apply to private attorneys or, alternatively, that the scope of the secrecy obligation contained in the oath exceeded what was mandated by the statute. The Court found that private attorneys are explicitly subject to the general requirement of secrecy under the statute.

The Court agreed with the Dioceses’ attorney that the entry of appearance form’s requirement to keep secret all “matters occurring before the grand jury” was broader than the secrecy requirements of Section 4549(b) of the Investigating Grand Jury Act, 42 Pa.C.S. § 4549(b). Although the Section 4549(b) terminology of “matters occurring before the grand jury” is not defined in the Act, the Court found that a proscription against disclosure of “all matters and information concerning this Grand Jury obtained in the course of the representation” was too great an impingement on counsel’s ability to effectively represent their clients and should apply only to what actually transpired in a grand jury room.

The Court, under its supervisory prerogative, ordered that the entry-of-appearance form be modified to remove the commitment to secrecy for “all matters and information concerning this Grand Jury obtained in the course of the representation” and “the syntax of the prior clauses should be adjusted, so that attorneys are bound to keep secret ‘all that transpires in the Grand Jury room and all matters occurring before the Grand Jury, except when disclosure is authorized by law or permitted by the Court.’” 191 A.3d at 762. In footnote 20 of the case, the Court provided this further direction:

To the extent that Criminal Procedural Rule 231(C) can be read to sweep more broadly in its requirement of non-disclosure of “any information pertaining to the grand jury,” Pa.R.Crim.P. 231(C), we direct that it should be construed to align with the material provisions of the Investigating Grand Jury Act. Additionally, we intend to invoke the rulemaking process to effectuate a clarifying amendment.

The Committee examined the history of Rule 231, in particular the language used in paragraph (C). This language was added to then-Rule 264 in 1987. The Publication Report from that time explains the rationale of the Committee when the rule changes were proposed. See 17 Pa.B. 167 (January 10, 1987). It would appear that the Committee at that time contemplated that the secrecy provision applied to what transpired before the grand jury. The Committee concluded that this language as originally developed was not intended to apply to every-

thing that an attorney might learn during his or her representation of a client who is involved with the grand jury.

Therefore, the Committee is proposing a change to Rule 231(C) that would narrow the language of the secrecy obligation. Utilizing the language mandated by the Court in *In Re Fortieth Statewide Investigating Grand Jury*, the rule would describe the information covered by the secrecy obligation as “anything that transpires in the grand jury room and all matters occurring before the grand jury.”

One of the subsidiary concerns raised in the case was the seeming incongruity of a client-witness being permitted to disclose his or her testimony but the same permission not extending to his or her counsel. The Court held that this was not the case, and found the statute permits counsel to disclose such testimony when the client has consented. See 191 A.3d at 761. The Committee concluded that this point should be noted in the rule. Therefore, clarifying language would be added to the Comment regarding the allowance of an attorney to disclose their client’s testimony when the client has consented.

[Pa.B. Doc. No. 19-447. Filed for public inspection March 29, 2019, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CH. 1]

Order Amending Rule 161 of the Pennsylvania Rules of Juvenile Court Procedure; No. 794 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 15th day of March, 2019, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been published for public comment at 48 Pa.B. 4217 (July 21, 2018):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rule of Juvenile Court Procedure 161 is amended in the following form.

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

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

PART C. RECORDS

PART C(1). ACCESS TO JUVENILE RECORDS

Rule 161. Inspecting, Copying, and Disseminating Juvenile Probation Files.

A. *Inspecting and [copying] Copying.* Except as provided in paragraph (C), juvenile probation files shall be open to inspection and/or copying only by:

1) the **juvenile or the juvenile's attorney of record in the instant proceeding**;

- 2) the attorney for the Commonwealth;
- 3) the State Sexual Offenders Assessment Board;
- 4) the Juvenile Court Judges' Commission; or
- 5) any other person, agency, or department by order of court.

B. [*Electronic records*] *Juvenile Probation Information*.

1) [**Records which are maintained electronically**] **Information maintained** by juvenile probation offices **other than juvenile probation files** shall be subject to inspection and/or copying only pursuant to court order.

2) Each juvenile probation office shall create a document, which describes the information that is maintained by the juvenile probation office concerning each juvenile. This document shall be open to inspection and copying pursuant to paragraph (A).

C. Contents of [*order*] *Order*. The order shall:

1) specify who shall be permitted to inspect the [**record**] **file, information**, or any portion [**of the record**] **thereof**;

2) specify who shall be permitted to copy the [**record**] **file or information**;

3) state that the **file or** information received shall not be disseminated to any person, agency, or department not listed in the court order; and

4) state that dissemination of any **file or** information received is a violation of the court order.

D. Disseminating.

1) The juvenile probation office has discretion to disseminate portions of its files **or information** to the juvenile, service providers, placement facilities, and courts and courts' professional staff of other jurisdictions when facilitating placement, the delivery of services, treatment, or transfer of the case to, or supervision by another jurisdiction consistent with applicable Federal or state law.

2) Unauthorized dissemination of any **file or** information [**contained in the juvenile probation file**] to a person, agency, or department not permitted to inspect or copy the file pursuant to this rule may result in a finding of contempt of court.

Comment

Documents contained in the juvenile probation files are not a part of the official court record unless the juvenile probation office officially files the documents in the official court record. Those documents placed in the official court record are governed by Rule 160 and 42 Pa.C.S. § 6307.

Juvenile probation files containing a juvenile's disclosures for the purpose of treatment should be reviewed for potentially privileged communications prior to dissemination. See, e.g., Commonwealth v. Carter, 821 A.2d 601 (Pa. Super. 2003).

The notes of a juvenile probation officer, which describe the officer's impressions or personal observations but which are not included in a report to the court or other report, are not considered a component of a juvenile probation file that is open to inspection or copying under paragraph (A). **"Juvenile probation files," as used in paragraph (A) and defined in Rule 120, is intended to include files existing in whole or in part in either paper or digital form.**

Nothing in this rule is intended to preclude the juvenile probation office from sharing information [**in its file**] with the juvenile.

Official Note: Rule 161 adopted May 21, 2012, effective August 1, 2012. Amended August 23, 2012, effective immediately. **Amended March 15, 2019, effective July 1, 2019.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 161 published with the Court's Order at 42 Pa.B. 3203 (June 9, 2012).

Final Report explaining the amendments to Rule 161 published with the Court's Order at 42 Pa.B. 5734 (September 8, 2012).

Final Report explaining the amendments to Rule 161 published with the Court's Order at 49 Pa.B. 1512 (March 30, 2019).

FINAL REPORT¹

Amendment of Pa.R.J.C.P. 161

On March 15, 2019, the Supreme Court amended Rule of Juvenile Court Procedure 161 to clarify that "juvenile probation files" used in paragraph (A) includes records existing in both paper and digital form; and (2) distinguish between "juvenile probation files" and other information maintained by the juvenile probation office.

Rule 161(A) provides access to juvenile probation files for an identified class of people (e.g., juvenile's attorney, attorney for the Commonwealth). Rule 161(B) states that records maintained electronically by juvenile probation offices are only accessible by court order. The Juvenile Court Procedural Rules Committee received feedback that Rule 161(B) was being interpreted to require a court order for access to digital forms of juvenile probation files being "maintained electronically" by the juvenile probation office.

Rule 161(B) was intended to limit access to non-file information on the Juvenile Case Management System (JCMS), not to "juvenile probation files," as defined by Rule 120. The JCMS is a software application used by juvenile probation offices for case management purposes. If a record exists on JCMS and that record is part of a juvenile probation file, see Pa.R.J.C.P. 120, then that record is accessible pursuant to paragraph (A). If there is information on JCMS that is not part of the juvenile probation file, then a court order is required pursuant to paragraph (B) to access that information.

To clarify, "file" is used in Rule 161 to refer to the "juvenile probation file" and "information" to refer to all other information maintained by the juvenile probation office not part of the "juvenile probation file." Further, the

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

Comment has been revised to instruct that paragraph (A) is intended to apply regardless of the form of the file.

The Committee received a comment seeking further clarification about the interpretation and application of Rule 161. Two of the areas of inquiry resulted in further revisions. First, a citation to *Commonwealth v. Carter*, 821 A.2d 601 (Pa. Super. 2003) was added to the Comment to signal that juvenile probation files containing a juvenile's disclosures for the purpose of treatment should be reviewed for potentially privileged communications prior to dissemination. Second, Rule 161(A)(1) was revised to clarify that the juvenile and the juvenile's attorney in the instant proceeding were permitted to copy and inspect a juvenile probation file without first obtaining an order of court.

The amendments will become effective July 1, 2019.

[Pa.B. Doc. No. 19-448. Filed for public inspection March 29, 2019, 9:00 a.m.]

Title 249—PHILADELPHIA RULES

PHILADELPHIA COUNTY

Adoption of Philadelphia Criminal Rule *708. Violation of Probation or Parole. Revocation Hearings; Administrative Order No. 07 of 2019

Order

And Now, this 6th day of March, 2019, it is hereby *Ordered and Decreed* that Philadelphia Criminal Rule *708. Violation of Probation or Parole. Revocation Hearings is adopted, effective thirty (30) days after publication in the *Pennsylvania Bulletin*, and applicable in the Court of Common Pleas of Philadelphia County, Trial Division—Criminal, and in the Philadelphia Municipal Court—Criminal Division.

As required by Pa.R.J.A. 103(d), this Administrative Order and the proposed local rule were submitted to the Supreme Court of Pennsylvania Criminal Procedural Rules Committee for review and written notification has been received from the Rules Committee certifying that the proposed local rule is not inconsistent with any general rule of the Supreme Court. This Administrative Order and the following local rule shall be filed with the Office of Judicial Records (formerly the Prothonotary, Clerk of Courts and Clerk of Quarter Sessions) in a docket maintained for Administrative Orders issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified copies of this Administrative Order and the following local rule, as well as one copy of the Administrative Order and local rule shall be distributed to the Legislative Reference Bureau on a computer diskette for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order and local rule shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://www.courts.phila.gov>, and shall be incorporated in the compiled set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order and local rules shall also be published in *The Legal Intelligencer*

and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

By the Court

HONORABLE IDEE C. FOX,
President Judge
Court of Common Pleas
Philadelphia County

HONORABLE PATRICK F. DUGAN,
President Judge
Philadelphia Municipal Court

HONORABLE JACQUELINE F. ALLEN,
Administrative Judge, Trial Division
Court of Common Pleas
Philadelphia County

Philadelphia Criminal Rule *708. Violation of Probation or Parole. Revocation Hearings.

(A) A probation officer may arrest or cause to be arrested, with or without a warrant, any person ("Defendant") who has been placed on probation or parole for: failure to report as required by the terms of that person's probation or parole, or for any other violation of that person's probation or parole as provided by law, including 42 Pa.C.S. §§ 9913 and 9754.

Explanatory Comment: 42 Pa.C.S. § 9913 authorizes a probation officer to arrest or detain any person on probation or parole for any violation of that person's probation or parole, imposed as provided in 42 Pa.C.S. § 9754 or otherwise.

A probation officer must exercise discretion in determining when a detainer ought to be issued, and shall reference the rule(s) and condition(s) of probation or parole allegedly violated by the Defendant.

(B) The procedure which follows shall be utilized whenever any Defendant who has been released on county probation or parole in Philadelphia County is arrested or detained by law enforcement officers to determine whether the Defendant's probation or parole ought to be revoked.

(1) *Gagnon I Hearing.* A hearing will be held before a Trial Commissioner or a judge as soon as practicable and within a reasonable time after the Defendant has been arrested or detained in order to determine whether there is probable cause to believe that the Defendant has committed a violation of his probation or parole. At the hearing, the Defendant shall:

- a. receive notice of the alleged violation of probation or parole;
- b. be provided the opportunity to appear in person or by two-way simultaneous audio-visual communication and to present evidence in his own behalf;
- c. be provided a conditional right to confront adverse witnesses;
- d. be provided counsel; and
- e. be provided a written hearing disposition report.

At the conclusion of the Gagnon I hearing, if the Trial Commissioner or judge determines that probable cause exists to believe that the Defendant has committed a violation of one or more condition of Defendant's probation or parole, the Defendant may be detained pending a Gagnon II hearing.

Explanatory Comment: See generally *Morrissey v. Brewer*, 408 U.S. 471, 92 S.Ct. 2593, 33 L.Ed.2d 484

(1972), and *Gagnon v. Scarpelli*, 411 U.S. 778, 93 S.Ct. 1756, 36 L.Ed.2d 656 (1973) which require that a person arrested and detained due to an alleged violation of a condition of probation or parole be provided a “preliminary revocation hearing” (a “Gagnon I hearing”) conducted by an independent decisionmaker and a “final revocation hearing” (a “Gagnon II hearing”) to determine whether the person may be detained and the person’s probation or parole be revoked.

As noted above, the Gagnon I hearing need not be conducted by a judge, and may be conducted utilizing two-way simultaneous audio visual communications. See Comment to Pa.R.Crim.P. 119. Supervisory Probation staff have been designated in some counties to conduct Gagnon I hearings.

The Gagnon I hearing must be held within a reasonable period after the person is arrested and detained. See *Commonwealth v. Ferguson*, 2000 Pa. Super 312, 761 A.2d 613, 619 (2000). Requiring that a Gagnon I hearing be held within a mandatory or inflexible number of days, without regards to the individualized factors present in each case, may result in delay in the scheduling and holding some or all Gagnon I hearings.

Whether bail has been ordered and posted in connection with the new charge(s) is not dispositive in determining whether a person who is on probation or parole shall be released or will continue to be detained for violating the condition(s) of probation or parole. The sole consideration before the fact finder in the Gagnon I hearing is whether probable cause exists to believe that the person has violated any condition of the person’s probation or parole.

When a detainer is issued due to conduct which resulted in an arrest, the person on probation or parole may only be detained if after the Gagnon I hearing, evidence of some facts in addition to the facts of arrest is necessary to determine that the person on probation or parole violated any applicable conditions. See *Commonwealth v. Davis*, 234 Pa. Super 31, 38, 336 A.2d 616 (1975).

A Gagnon I hearing is not necessary when a probable cause determination is made, after the preliminary hearing where the Defendant is held for trial or upon the conviction of an offense committed while the Defendant had been released on probation or parole, that the Defendant has violated a condition of probation or parole. See *Commonwealth v. Davis*, 234 Pa. Super 31, 336 A.2d 616 (1975) for the specific scenarios held not to require a Gagnon I hearing in Philadelphia County.

(2) *Gagnon II Hearing*. If at the conclusion of the Gagnon I hearing, it was determined that probable cause existed to believe that the Defendant violated one or more condition of Defendant’s probation or parole, a hearing must be held to determine whether the facts warrant revocation of the Defendant’s probation or parole and whether probation or parole is still an effective vehicle to accomplish the rehabilitation and a sufficient deterrent against future antisocial conduct, as follows:

a. a written request for revocation shall be filed as required by Pa.R.Crim.P. 708(A);

b. a hearing will be held before the sentencing judge or a judge generally assigned to hear violations of probation or parole;

c. a hearing will be scheduled as requested by the sentencing judge or judge generally assigned to hear violations of probation or parole

i. within a reasonable period after the filing of the written request for revocation required by Pa.R.Crim.P. 708(A); or

ii. within a reasonable period after a verdict is rendered in connection with the new charges which had resulted in Defendant’s arrest;

d. the Defendant shall be provided counsel and the opportunity to be heard in person and to present witnesses and documentary evidence;

e. the defendant shall be provided the right to confront and cross-examine adverse witnesses; and

f. the hearing shall proceed as provided in Pa.R.Crim.P. 708.

Explanatory Comment: The judge may not revoke probation or parole on arrest alone, but only upon a finding of a violation thereof after a hearing, as provided in Pa.R.Crim.P. 708. However, the judge need not wait for disposition of new criminal charges to hold such hearing. See *Commonwealth v. Kates*, 452 Pa. 102, 305 A.2d 701 (1973).

The purpose of the Gagnon II Hearing is not to determine whether the person who is on probation or parole has committed a new offense, which the Commonwealth must establish by proving all of the requisite elements of the new offense beyond a reasonable doubt, but rather it is to establish the violation of a condition of probation or parole, which must be proved by a preponderance of the evidence, see *Commonwealth v. Allshouse*, 2009 Pa. Super 47, 969 A.2d 1236, 1240 (2009) and cases cited therein, and further to determine “whether the conduct of the probationer indicates that the probation has proven to be an effective vehicle to accomplish rehabilitation and a sufficient deterrent against anti-social behavior.” *Commonwealth v. Kates*, supra, 452 Pa. at 115 (1973).

[Pa.B. Doc. No. 19-449. Filed for public inspection March 29, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONROE COUNTY

Amendment of Local Rules of Civil Procedure; 60 AD 2019

Order

And Now, this 11th day of March, 2019, it is Ordered that the following amendments to Monroe County Rules of Civil Procedure 212.1(3)(a) shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

It Is Further Ordered that the District Court Administrator shall:

1. File one copy of these Rules with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.

2. File two paper copies and one electronic copy of these Rules in a Microsoft Word format only on a CD-ROM to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Arrange to have these Rules published on the Monroe County Bar Association website at www.monroebar.org.

4. Arrange to have these Rules, as well as all local rules, published on the 43rd Judicial District website at www.monroepacourts.us.

5. Keep these Rules, as well as all local rules of this Court, continuously available for public inspection and copying in the respective Monroe County filing office.

a. Upon request and payment of reasonable cost of reproduction and mailing, the respective filing office shall furnish to any person a copy of any local rule.

By the Court

MARGHERITA PATTI-WORTHINGTON,
President Judge

Rule 212.1. Case Management.

(3) Pretrial procedure.

a. A court order will issue upon filing in Fast Track and Standard Track cases. The case track and/or deadlines established by the case management order may be modified by the Court in its own discretion or for good cause shown. A party seeking modification shall seek the written concurrence of all parties and make the request for modification by written motion. A proposed modified case management order in a form substantially similar to Form "C" shall be attached. A proposed order for a status conference, substantially similar to Form "D" shall also be attached.

Form "C"

COURT OF COMMON PLEAS OF MONROE COUNTY

FORTY-THIRD JUDICIAL DISTRICT

COMMONWEALTH OF PENNSYLVANIA

Plaintiff vs. Defendant
No. CV 20__

CASE MANAGEMENT ORDER

AND NOW, this day of , 20__ , upon consideration of the Motion to Extend Case Management Deadlines, IT IS ORDERED as follows:

- 1. This case is stricken from the , 20__ Civil Trial List.
2. Trial is scheduled for this Court's two week trial term commencing on , 20__ , at 8:30am in Courtroom No. 1. Pre-trial memoranda shall be filed with the Prothonotary before the trial date in accordance with Pa.R.C.P. 212.1. Counsel are attached.
3. Discovery shall be completed by , 20__ , including the filing of all motions to compel the production of discovery.
4. Plaintiff's expert reports shall be completed and served upon Defendant by , 20__ .
5. Defendant's expert reports shall be completed and served upon Plaintiff by , 20__ .
6. All dispositive motions shall be filed by , 20__ .

BY THE COURT:

J.

cc: , Esquire
, Esquire
Prothonotary
Court Administration

Form "D"

COURT OF COMMON PLEAS OF MONROE COUNTY
FORTY-THIRD JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA

No. CV 20__
Plaintiff
vs.
Defendant

ORDER

AND NOW, this day of , 20 __, following consideration of the Plaintiff's/Defendant's Motion to Modify the Case Management Schedule, IT IS ORDERED that a status conference shall be held on the ___ day of __, 20 __ at ___ o'clock __ .m., in Courtroom No. __, Monroe County Courthouse, Stroudsburg, Pennsylvania to consider the request to modify the case management order.

BY THE COURT:

_____ J.

cc: _____, Esquire
_____, Esquire
Prothonotary
Court Administrator

[Pa.B. Doc. No. 19-450. Filed for public inspection March 29, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WESTMORELAND COUNTY

Family Division Case Assignments; No. 3 of 2019

Administrative Order of Court

And Now, this 12th day of March, 2019, It Is Hereby Ordered that Westmoreland County Local Rule W1930 is hereby adopted. The new rule shall become effective 30 days after publication in the Pennsylvania Bulletin.

By the Court

RITA DONOVAN HATHAWAY,
President Judge

Rule W1930. Family Division Case Assignments.

(a) Petitions to appoint a standby guardian, as well as any filings in divorce, support, custody cases, or Family Division cases other than Protection from Abuse and Protection of Victims of Sexual Violence or Intimidation cases, shall be assigned to a judge by the Family Court Administrator, using the defendant's last name to assign the case.

(b) The Family Court Administrator shall attempt to ensure that if the same parties have previously had a matter assigned to a judge, that judge shall be assigned

to the new matter in order to preserve the "one family, one judge" concept of case assignment.

[Pa.B. Doc. No. 19-451. Filed for public inspection March 29, 2019, 9:00 a.m.]

DISCIPLINARY BOARD
OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Theodore Hauptle Smith, a/k/a Theodore H. Smith (# 36719), having been disbarred in the State of New Jersey, the Supreme Court of Pennsylvania issued an Order on March 13, 2019, disbarring Theodore Hauptle Smith, a/k/a Theodore H. Smith from the Bar of this Commonwealth, effective April 12, 2019. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the Pennsylvania Bulletin.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 19-452. Filed for public inspection March 29, 2019, 9:00 a.m.]

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CHS. 91 AND 92a]

Water Quality Management and National Pollution Discharge Elimination System Permit Application and Annual Fees

The Environmental Quality Board (Board) proposes to amend Chapters 91 and 92a (relating to general provisions; and National Pollutant Discharge Elimination System permitting, monitoring and compliance) to establish new fee schedules for Water Quality Management (WQM) permit applications, National Pollution Discharge Elimination System (NPDES) permit applications and NPDES annual fees, and to make clarifications in 25 Pa. Code §§ 91.1, 91.22, 91.27, 91.36, 91.52, 92a.26, 92a.32 and 92a.62, respectively.

This proposed rulemaking was adopted by the Board at its meeting of December 18, 2018.

A. Effective Date

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

B. Contact Persons

For further information contact Sean Furjanic, PE, Environmental Program Manager, Bureau of Clean Water, P.O. Box 8774, Rachel Carson State Office Building, Harrisburg, PA 17105-8774, (717) 787-2137; or Margaret O. Murphy, Assistant Director, Bureau of Regulatory Counsel, P.O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105, (717) 783-7472. Information regarding submitting comments on this proposed rulemaking appears in Section J of this preamble. Persons with a disability may use the Pennsylvania AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposed 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 proposed rulemaking is being made under the authority of sections 5(b)(1) and 6 of The Clean Streams Law (35 P.S. §§ 691.5(b)(1) and 691.6) and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), which authorize the Board to promulgate rules and regulations necessary for the Department to perform its work, including the charging and collecting of reasonable filing fees for applications filed and for permits issued under The Clean Streams Law (35 P.S. §§ 691.1—691.1001).

D. Background and Purpose

Water resources of this Commonwealth are among the most abundant in the nation and require significant Department resources to protect the quality of these waters through the NPDES and WQM programs (collectively, Clean Water Program). This Commonwealth ranks in the top five Nationally for number of NPDES-permitted facilities and in the top ten for surface water miles in the nation. This Commonwealth has more municipal separate storm sewer system (MS4) permits and more combined sewer overflows (CSO) than any other state. The Department receives over 2,600 applications

and Notices of Intent (NOI) for NPDES and WQM permits annually for discharges of sewage, industrial waste, industrial stormwater and municipal stormwater; operation of concentrated animal feeding operations (CAFO); utilization of pesticides; land application of sewage and industrial wastes; and construction of sewage and industrial waste pollution control facilities.

Over the past decade, the Department has worked to modify and continually improve business processes to reduce the cost of administering the Clean Water Program while maintaining its core responsibility of serving the public by protecting public health and the environment. However, as development needs within this Commonwealth continue to expand, the Department's workload also increases over time. For example, as new products and processes are employed by permittees, the Department must continually evaluate potential impacts to water resources and undertake new initiatives to meet Federal requirements to achieve its core responsibilities.

Under sections 202, 307, and 402(a) of The Clean Streams Law, Department permits are required for any discharge of sewage or industrial waste or for any other activity that creates a danger of pollution of waters of this Commonwealth. Under sections 207 and 308 of The Clean Streams Law also requires approval from the Department prior to the construction of infrastructure that is used to treat or convey sewage and industrial wastes.

The Board has promulgated regulations in 25 Pa. Code Chapters 91 and 92a for the Department to administer the programs authorized by The Clean Streams Law. Chapter 91 establishes a WQM program for sewage and industrial waste construction projects, discharges to groundwater through the land application of sewage and industrial wastes, and the use of pesticides in surface waters. Section 91.22 (relating to fees) provides a fee schedule for WQM permit applications. Most of these fees have not been updated since 1971.

Chapter 92a establishes a permit, monitoring and compliance program for discharges to surface waters of this Commonwealth under The Clean Streams Law, consistent with the NPDES permitting requirements of section 402 of the Federal Clean Water Act (33 U.S.C.A. § 1342). The Department has been delegated the authority to administer the Federal NPDES permitting program in the Commonwealth by the United States Environmental Protection Agency (EPA) and has done so since 1978.

Chapters 91 and 92a authorize the Department to issue individual WQM and NPDES permits with terms and conditions specific to the project, discharge or activity described in the permit application, and to issue general permits for categories of projects, discharges and activities that can be regulated by a standard set of terms and conditions. Persons seeking individual permits submit permit applications, while persons seeking coverage under a general permit submit NOIs.

The Board has established fees for permit applications and NOIs in § 91.22 and § 92a.26 (relating to application fees). In addition, in 2010 the Board established an annual NPDES permit fee to aid in funding the cost of the Department's administration of the NPDES program. 40 Pa.B. 5767 (October 9, 2010). The Chapter 91 permit fees were initially promulgated by the Board in 1971 and subsequently amended in 1980 and 2000. See 1 Pa.B.

1804 (September 11, 1971); 10 Pa.B. 4294 (November 8, 1980); and 30 Pa.B. 521 (January 29, 2000).

The NPDES fee schedule for individual NPDES permits remained the same from 1978 until 2010. In 2010, the Board promulgated an updated fee schedule reflecting increased fees for most categories of individual NPDES permits in § 92a.26 and promulgated new annual fees in § 92a.62 (relating to annual fees). See 40 Pa.B. 5767. These fee increases provided needed revenue to administer the NPDES program and reduced reliance on general tax revenue to support the NPDES program.

Under both §§ 92a.26 and 92a.62, the Department is required to report to the Board every 3 years on the adequacy of the fees to administer the NPDES program. The report analyzes the fiscal solvency of programs by comparing program funding sources, including fees, with the costs to administer the program. Fee reports may contain recommendations to increase fees to eliminate any identified funding disparities.

On February 18, 2014, the Department presented its first report to the Board under the new NPDES fee schedules promulgated in 2010. The report documented that the primary sources of revenue to fund the NPDES program are general tax revenue (50%), Federal grants (33%) and permit fees (17%). The analysis also highlighted that NPDES fees in this Commonwealth are 50% to 90% less than surrounding and comparable states for most categories of NPDES permits. On August 21, 2018, the Department presented its second report to the Board, which illustrated similar conditions exist now as compared to 2014.

Based on its current staffing and activities, the Department spends approximately \$20 million per year to administer the NPDES program. These funds cover the following activities:

- Inspection and compliance monitoring of NPDES-permitted facilities—36%.
- NPDES permit application/NOI reviews—29%.
- Assessment of surface waters throughout this Commonwealth, including development of Total Maximum Daily Loads—28%.
- Program management—5%.
- Program administration—2%.

The Department spends approximately \$1.4 million per year to administer the WQM program, which involves activities similar to the NPDES program, except for surface water assessment. The primary sources of revenue to fund this program are general tax revenue (90%) and permit fees (10%).

The benefits and justifications for the proposed fee increases are further explained in Section F of this preamble.

The Department's Bureau of Clean Water (BCW), which is responsible for the administration of the Clean Water Program, presented the proposed changes to the fees in Chapters 91 and 92a to the Agriculture Advisory Board (AAB) at its meetings on April 28, 2016, and October 26, 2017. A member of the AAB questioned in a letter to the Department's Secretary the need for fee increases that target a small number of farms (that is, CAFOs) and stated that the Department should be utilizing its resources to inspect all farms, not just CAFOs.

The BCW also presented the proposed changes to the fees in Chapters 91 and 92a to the Water Resources Advisory Committee (WRAC) at its meetings on September 21, 2016, and October 25, 2017. The WRAC supported the proposal to increase these fees to adequately fund the Clean Water Program.

E. Summary of Regulatory Requirements

Summarized as follows are the proposed changes to Chapters 91 and 92a, along with supporting justification for these proposed permit fee increases. No Federal regulations prescribe fees for NPDES and WQM permit applications.

§ 91.1. Definitions

Definitions of the terms “major facility,” “minor facility” and “small flow treatment facility” are proposed. The proposed definitions are needed because these terms are used in the proposed revisions to § 91.22. The proposed definitions are consistent with the definition of these terms in Chapter 92a. In addition, the reference to 25 Pa. Code § 92.1 in the definition of “CAFO” will be updated to 25 Pa. Code § 92a.2 (relating to definitions).

§ 91.22. WQM permit fees

Subsection (a) currently identifies WQM permit application fees for single residence sewage treatment plants (\$25), sewer extensions (\$100) and other WQM permits (\$500). The existing regulation does not indicate whether these fees apply to different types of permit applications (that is, new, amendment, renewal and transfer). This subsection is proposed to be amended to expand the categories of WQM permit applications from 3 to 11, and clarify the fees for the various types of permit applications. These proposed categories are based on an analysis conducted by the Department of the typical complexity and amount of time necessary to review the various WQM permit applications received. These proposed fee categories were also based on the need for the Department to conduct inspections during or following construction of the facilities.

Subsection (b) currently establishes a ceiling of \$500 for general WQM permit NOI fees. The Department proposes to revise this subsection to remove this ceiling and replace it with a requirement that NOI fees for general WQM permits may not exceed the amount established for individual WQM permit application fees for equivalent projects.

Subsection (c) is a new proposed subsection that would require the Department to adjust WQM permit application fees according to changes to the United States Bureau of Labor Statistics Employment Cost Index for State and Local Government Compensation (ECI) every 2 years. The adjustment would be based on the cost difference, if any, of the ECI for the most recent 2-year period. The proposed revision requires the Department to publish any changes to the fees in subsection (a) based on the ECI in the *Pennsylvania Bulletin*. The Department will not be permitted to impose any increases beyond those based on the ECI without the Board promulgating a rulemaking to revise § 91.22. Further, fees will not be adjusted if application of the index would result in fees exceeding the Department's costs to administer the Clean Water Program.

Subsection (d) proposes to require the Department to prepare a report every 3 years for submission to the Board to evaluate the revenue generated by the proposed fees and the cost to administer the WQM permitting program. The report would also include the Department's

recommendation for amendments to this subsection if revenue to administer the program is insufficient. This proposed provision is similar to an existing provision in § 92a.26(h).

Subsection (e) proposes to allow the Department to enter into an agreement with any Federal or Commonwealth agency or independent Commonwealth commission to provide an alternative funding mechanism for the WQM program rather than the payment of the fees established in § 91.22.

§ 91.27. *General WQM permit*

The reference to Chapter 92 will be updated to Chapter 92a.

§ 91.36. *Pollution control and prevention at agricultural operations*

The references to 25 Pa. Code § 92.5a and (e)(1)(i) (relating to prohibitions) will be updated to 25 Pa. Code §§ 92a.29 and (e)(1)(i) (relating to CAFO), respectively.

§ 91.52. *Procedural requirements for underground disposal*

The reference to Chapter 92 will be updated to Chapter 92a.

§ 92a.26. *NPDES permit application fees*

Subsection (a) is proposed to be modified to require payment of permit fees to the “Commonwealth of Pennsylvania” rather than the “Clean Water Fund” consistent with the Commonwealth’s fiscal management policies. This subsection is further proposed to be modified to clarify that for fees based on the annual average design flow of a facility, the design flows of all discharges from the facility are totaled.

Subsection (b) is proposed to be amended to combine the provisions currently in subsections (b)—(d). New subsection (b) proposes to address permit application fees for new permits and the reissuance of mining permits. New subsection (b) proposes to remove reissuance fees for all types of permits with the exception of mining permits due to corresponding amendments to the annual fee provisions found in § 92a.62 (discussed further as follows). The fee categories remain the same in the new subsection (b), except that a new category for “pesticides” is proposed. The proposed fees are based on an analysis of the Department’s costs to review the various types of permit applications and the time necessary for ongoing inspections and compliance monitoring.

Current subsection (e) is proposed to become subsection (c) and would continue to address fees associated with individual NPDES permit transfers. The fees for the transfer of NPDES permits would not change. This subsection is proposed to clarify that transfer fees apply to NPDES permits for CAFOs, MS4s and Concentrated Aquatic Animal Production (CAAP) facilities, as well as other types of NPDES permits.

Current subsection (f) is proposed to become subsection (d) and would continue to address fees associated with individual NPDES permit amendments. This subsection is proposed to be modified to include new, lower fees for minor amendments to NPDES permits for single residence sewage treatment plants (SRSTP) and small flow treatment facilities (SFTF), as the current fee for minor amendments to these permits exceeds or is not in proportion with the fees for SRSTP and SFTF permit applications for new permits. Major amendment fees would be the same as the annual fees in § 92a.62. Currently, major amendment fees are the same as reissuance fees, but

since there will no longer be reissuance fees (except mining), the major amendment fees would be set equivalent to annual fees.

Current subsection (g) is proposed to become subsection (e) and would continue to address NOI fees associated with NPDES general permits. This subsection proposes to eliminate the current NOI ceiling of \$2,500 for coverage under an NPDES general permit and require that NOI fees for general NPDES permits not exceed the amount established for individual NPDES permit application fees for equivalent projects. This subsection also proposes to require payment of the annual increment of the NOI fee to obtain coverage under a general permit when the general permit allows payment of the NOI fee in annual increments. For example, if an NOI fee is \$1,000 and the general permit allows annual incremental payments of \$200 over 5-year term of the general permit, a person seeking coverage under the general permit would be required to submit a payment of \$200 with the NOI.

A new subsection (f) proposes to require adjustments every 2 years to the NPDES fees based on the ECI as previously discussed in § 91.22(c). However, fees will not be adjusted if application of the index would result in fees exceeding the Department’s costs to administer the Clean Water Program.

Current subsection (h) is proposed to become subsection (g) and would continue to require the Department to provide a report at least once every 3 years to the Board on the adequacy of the NPDES fees.

Current subsection (i) is proposed to become subsection (h) and would continue to allow Federal and State agencies or independent State commissions to provide funding to the Department for implementation of the NPDES program through an agreement as an alternative to paying the NPDES fees in this section. No change to the language in this subsection is proposed.

§ 92a.32. *Stormwater discharges*

Subsection (b) is proposed to be amended to codify the process of how to submit a “No Exposure Certification” application and fee. An applicant would be required to submit the appropriate permit application or NOI, including the appropriate application or NOI fee, and a “No Exposure Certification” on forms available from the Department at least once every 5 years. This amendment clarifies existing processes.

Subsection (c) is proposed to be amended to codify the process for how to submit a waiver from NPDES permit requirements for small MS4 operators. Applicants would be required to submit to the Department the appropriate permit application or NOI, the appropriate permit application or NOI fee and an application for the waiver on forms available from the Department at least once every 5 years. This amendment also clarifies existing processes.

§ 92a.62. *NPDES annual fees*

Subsection (a) proposes to require payment of the NPDES fee to the “Commonwealth of Pennsylvania” rather than the “Clean Water Fund” consistent with the Commonwealth’s fiscal management policies. This subsection would be modified to clarify that for fees based on the annual average design flow of a facility, the design flows of all discharges from the facility are totaled. This subsection would also be amended to change the due date of the annual fee for individual NPDES permits. The due date for the annual fee would be the effective date of the last permit issuance or reissuance for permits issued before this rulemaking (old permits) becomes effective

and would be the effective date of the initial permit for permits issued after this rulemaking becomes effective (new permits). For example, if an old permit was last reissued with an effective date of June 1, 2017, as of the effective date of this proposed rulemaking, the annual fee for this permit would be due every year on June 1, regardless of the effective date of future reissued permits. If a new permit is issued on September 1, 2020, the annual fee for this permit would be due every year on September 1. In conjunction with this change and as previously discussed, permit reissuance fees were deleted for all permits that had annual fees. The current regulation requires annual fees to be due on the anniversary of the effective date of the permit. This date often changes each permit renewal cycle. The proposed amendment to this subsection would ease the administrative burden on the Department and on permittees by setting one due date for the life of each permit and would make the reissuance fee unnecessary.

Subsection (b) proposes to combine current subsections (b)—(d), which address annual fees for facilities with individual NPDES permits. The fee categories associated with annual fees would remain the same as the existing regulation, except that a new category for “pesticides” is proposed to be added. The proposed annual fees are based on the typical complexity and amount of time necessary to review the various applications the Department receives and the time necessary for ongoing inspections and compliance monitoring.

A new subsection (c) proposes to adjust the NPDES annual fees every 2 years based on the ECI, similar to the requirements in §§ 91.22(c) and 92a.26(f) previously described. However, also as previously described, fees will not be adjusted if application of the index would result in fees exceeding the Department’s costs to administer the Clean Water Program.

Current subsection (e) is proposed to become subsection (d) and would continue to require the Department to submit a written fee report at least once every 3 years to the Board evaluating the adequacy of the annual fees.

Current subsection (f) is proposed to become subsection (e), but would not be revised otherwise. This subsection allows Federal and State agencies or independent State commissions to provide funding to the Department for the implementation of the NPDES program through an agreement rather than paying annual fees required by this section.

F. *Benefits, Costs and Compliance*

Benefits

The fee increases proposed in this proposed rulemaking are necessary for the Department to administer the WQM and NPDES programs in Chapters 91 and 92a, respectively, to implement The Clean Streams Law, as well as the Federal NPDES program mandated by the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376). These programs are essential to the compelling public interest of preventing and eliminating pollution of the waters of this Commonwealth, promoting both public health and economic benefits.

WQM and NPDES permits help lower rates of acute and chronic illnesses in citizens by reducing the occurrence of pathogens, nutrients and other contaminants in waterways of this Commonwealth. Citizens may come into contact with these pollutants through drinking improperly treated water, recreational activities or consuming tainted food sources. High levels of some pathogens like *E. coli* can cause illness if accidentally consumed

during recreational activities, by eating contaminated food or from drinking improperly treated water. Nutrient pollution can facilitate the occurrence of harmful algal blooms, which may produce toxic byproducts that harm recreational water users and render drinking water sources unusable during the duration of the bloom. Nutrient pollution is also known to impact downstream waters such as the Chesapeake Bay. Finally, other contaminants like heavy metals can accrue in fish tissue and cause sickness in people who consume the contaminated fish. This list of examples is not exhaustive of the types and causes of illnesses that can be associated with polluted waters. Preservation of public health is a stand-alone benefit of environmental regulation, but it also provides economic benefits. While it is difficult to assign a specific monetary value to the prevention of acute and long-term illnesses or disease by improving water quality, healthier citizens are able to work, are more productive and live longer lives, all of which provide positive economic effects.

This Commonwealth receives other economic benefits from the proper administration of these programs through reduced costs to treat drinking water, increased property values, job creation, increased fishery resources and recreation, and enhanced aquatic habitat available to support the diverse species that depend upon clean water. Additionally, healthy watersheds help to avoid expensive restoration activities, reduce vulnerability to natural disasters and maintain natural ecosystems that provide water treatment at far lower costs than can be achieved through human-engineered services. For more information about the economic benefits of effectively managing water resources, see the EPA document, “The Economic Benefits of Protecting Healthy Watersheds,” available on EPA’s web site at https://www.epa.gov/sites/production/files/2015-10/documents/economic_benefits_factsheet3.pdf.

The proposed fees in this proposed rulemaking will allow the Department to properly administer the Clean Water Program to protect the quality of water resources within this Commonwealth without any increases in the appropriation of general tax revenue to the Department. The Department acknowledges that new fees may impact some regulated entities negatively; instead of collecting a large up-front fee to support the Department’s water pollution control efforts, the regulation is structured to fairly spread fees among permit applications and annual fees, as applicable, to ease the burden on the regulated community. Despite the proposed increases, the Department’s fees would still be less than the fees for many comparable states.

The administration of the Clean Water Program involves many activities including permit application reviews, inspections, enforcement, surface water assessments and related activities such as the development and implementation of Federally required Total Maximum Daily Loads (TMDL).

Under section 303 of the Federal Clean Water Act (33 U.S.C.A. § 1313) the Department is required to develop and maintain the Commonwealth’s water quality standards. Water quality standards are established to protect human health, aquatic life and ensure that our waters are safe for drinking water consumption and recreation. Water quality standards have two parts, designated uses and specific water quality criteria. Department-issued permits must meet those water quality standards and adhere to State and Federal technology-based standards. Department-issued WQM permits assure that appropriate

engineering standards are applied to prevent pollution to waters of this Commonwealth.

As part of its section 106 grant agreement (33 U.S.C.A. § 1256), the Department is required by the EPA to monitor and assess surface waters to determine if streams are meeting their designated uses. This is performed in a variety of ways including biological sampling, chemical sampling and evaluation of aquatic habitats. Monitoring and assessment is performed to assure that the Department has appropriate water quality standards in place and has issued effective permits. Monitoring and assessment of our Commonwealth waters are the foundational components for the water management programs implemented by the Department.

Other benefits associated with this proposed rulemaking include:

- Increased staff and resources to provide more timely permit application reviews, which would be beneficial to owners and operators of new facilities desiring permits as expeditiously as possible.
- Increased staff and resources to allow more thorough reviews of impacts to public health and the environment and a greater presence in the field. The public benefits from these services by providing a greater level of protection for waters of this Commonwealth. The regulated community benefits from this through enhanced compliance assistance before enforcement is considered. The Department prefers to work with the regulated community to promote compliance. Compliance assistance has, in some cases, reduced expenses for permittees while providing adequate protection to human health and the environment.
- Increased staff to provide the resources necessary to evaluate existing programs, policies, guidance and regulation, what is and what is not working for the Department, the public and regulated community, and to make necessary changes more expeditiously. The Department is aware of some areas of the program that could be improved or enhanced in order to, for example, make the permit process less onerous and save applicants money. An increase of positions in the Department's BCW is necessary to complete this work.
- Increased revenue from fees to assist the Department in funding electronic solutions to improve business efficiency.

The Department believes that these benefits would result in cost savings to the regulated community although the savings are difficult to quantify.

Compliance costs

The operators of approximately 4,000 facilities in this Commonwealth with individual NPDES permits would be affected by this proposed rulemaking. Certain categories of facilities would be subject to little or no fee increase, and other categories would be subject to more significant increases, based on the nature and complexity of these facilities and the applications they submit.

Approximately 500—600 owners and operators of water pollution control facilities (for example, persons proposing to construct or modify construction of sewage treatment facilities, sewer lines, wastewater pump stations, land application sites, and the like) who, on average, apply to the Department each year for a WQM permit, would be subject to WQM permit application fee increases.

The collective increase in fees for these facilities would be approximately \$6 million in the first year following the

effective date of this final-form rulemaking of Chapters 91 and 92a. Persons applying for new NPDES and WQM permits would be subject to the revised fees immediately. Persons with existing NPDES permits would not be subject to the revised fees until an annual fee is due. Persons with existing WQM permits would not be subject to the revised fees unless an amendment, transfer or renewal of the WQM permit is desired.

Not included in these estimates are costs associated with coverage under general WQM and NPDES permits. The Department could decide to increase NOI fees for general permits in the future to a level not to exceed the equivalent fee for an individual permit application. If the Department were to decide on this course of action, it could affect up to 5,700 additional facilities with general permit coverage and collectively cost up to an additional \$2 million. Any increase in NOI fees for general permits would be proposed at the time each general permit is renewed. Each proposed general permit is published in the *Pennsylvania Bulletin* for public comment.

While the costs to comply with the regulation for up to 10,300 NPDES and WQM-permitted facilities could be as high as \$8 million, it is expected that the net costs would be much lower considering the benefits previously described.

Compliance assistance plan

The Department will develop and post to its web site fact sheets describing changes to the WQM and NPDES fee schedules and include important information on these changes on annual fee invoices mailed to permittees.

Paperwork requirements

The proposed amendments to Chapters 91 and 92a clarify existing processes but do not add to or change the existing paperwork requirements for the submission of WQM and NPDES permit applications and NOIs or the submission of annual fee payments to the Department. It is noted that the Department is in the process of launching an electronic payment system for annual fees, which would reduce paperwork.

G. 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 regulation has incorporated the following pollution prevention incentives:

Certain sectors of facilities may be able to avoid paying annual fees when pollution prevention measures are employed. For example, industrial sites that are required to apply for and obtain NPDES permits for stormwater discharges associated with industrial activity may qualify for a No Exposure Certification approval instead of a permit, if most products and materials are stored in storm-resistant shelters.

H. *Sunset Review*

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

I. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 12, 2019, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to this 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-form publication of the rulemaking, by the Department, the General Assembly and the Governor.

J. *Public Comments*

Interested persons are invited to submit to the Board written comments, suggestions, support or objections regarding this proposed rulemaking. Comments, suggestions, support or objections must be received by the Board by May 14, 2019. Comments may be submitted to the Board by accessing eComment at <http://www.ahs.dep.pa.gov/eComment>.

Comments may be submitted to the Board by e-mail at RegComments@pa.gov. A subject heading of this proposed rulemaking and a return name and address must be included in each transmission.

If an acknowledgement of comments submitted online or by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

Written comments should be mailed to the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Environmental Quality Board, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

K. *Public Hearings*

The Board will hold one public hearing for the purpose of accepting comments on this proposed rulemaking. The hearing will be held at 1 p.m. on the following date:

May 1, 2019 Department of Environmental Protection
Southcentral Regional Office
Susquehanna Rooms A and B
909 Elmerton Avenue
Harrisburg, PA 17110

Persons wishing to present testimony at a hearing are requested to contact the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477, (717) 783-8727 at least 1 week in advance of the hearing to reserve a time to present testimony. Verbal testimony is limited to 5 minutes for each witness. Witnesses are requested to submit three written copies of their oral testimony to the

hearing chairperson at the hearing. Organizations are limited to designating one witness to present testimony on their behalf at each hearing.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Board at (717) 783-8727 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Board may accommodate their needs.

PATRICK McDONNELL,
Chairperson

Fiscal Note: 7-533. No fiscal impact. The Historical and Museum Commission and the Department of Corrections will face nominal costs resulting from the adjustments in the fee schedules; (8) recommends adoption.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE II. WATER RESOURCES

CHAPTER 91. GENERAL PROVISIONS

GENERAL

§ 91.1. Definitions.

* * * * *

CAFO—Concentrated animal feeding operation—An agricultural operation that meets the criteria established by the Department in § [92.1] 92a.2 (relating to definitions).

* * * * *

General water quality management permit or general permit—A water quality management permit that is issued for a clearly described category of wastewater treatment facilities, which are substantially similar in nature.

Major facility—The term as defined in § 92a.2 (relating to definitions).

Manure—

(i) Animal excrement, including poultry litter, which is produced at an agricultural operation.

(ii) The term includes materials such as bedding and raw materials which are commingled with that excrement.

* * * * *

Manure storage facility—A permanent structure or pond, a portion of a structure or pond, or a group of structures or ponds at one agricultural operation, utilized for the purpose of containing manure or agricultural process wastewater. This includes concrete, metal or other fabricated tanks and underbuilding structures, as well as earthen and synthetically-lined manure storage ponds.

Minor facility—The term as defined in § 92a.2 (relating to definitions).

NOI—Notice of Intent—A complete form submitted as a request for general water quality management permit coverage.

* * * * *

Single residence sewage treatment plant—A system of piping, tanks or other facilities serving a single family residence located on a single family residential lot which collects, disposes and treats solely direct or indirect sewage discharges from the residences into waters of this Commonwealth.

Small flow treatment facility—The term as defined in § 92a.2 (relating to definitions).

Stormwater—Runoff from precipitation, snow melt runoff and surface runoff and drainage.

* * * * *

APPLICATIONS AND PERMITS

§ 91.22. Fees.

(a) Applications for **new individual** water quality management permits [from parties except agencies of the Commonwealth], **reissuance of individual water quality management permits, and requests for permit amendments and transfers** shall be accompanied by a [check] fee payable to “Commonwealth of Pennsylvania,” in the [following] amounts [:] **specified below.**

- [(1) For applications for single residence sewage treatment plant permits—\$25.
- (2) For applications for sewer extension permits—\$100.
- (3) For applications for other water quality management permits—\$500.]

<u>Category</u>	<u>Application Type</u>	<u>Fee</u>
<u>Joint Pesticides Permit</u>	<u>New and Reissuance</u>	<u>\$500</u>
	<u>Amendment</u>	<u>\$100</u>
	<u>Transfer</u>	<u>\$50</u>
<u>Major Industrial Waste Treatment Facility</u>	<u>New</u>	<u>\$15,000</u>
	<u>Amendment</u>	<u>\$2,000</u>
	<u>Transfer</u>	<u>\$500</u>
<u>Minor and Non-NPDES Sewage Treatment Facility</u>	<u>New</u>	<u>\$5,000</u>
	<u>Amendment</u>	<u>\$500</u>
	<u>Transfer</u>	<u>\$250</u>
<u>Minor and Non-NPDES Industrial Waste Treatment Facility</u>	<u>New</u>	<u>\$7,500</u>
	<u>Amendment</u>	<u>\$500</u>
	<u>Transfer</u>	<u>\$250</u>
<u>Single Residence Sewage Treatment Plant</u>	<u>New</u>	<u>\$200</u>
	<u>Amendment</u>	<u>\$100</u>
	<u>Transfer</u>	<u>\$50</u>
<u>Small Flow Treatment Facility</u>	<u>New</u>	<u>\$1,000</u>
	<u>Amendment</u>	<u>\$200</u>
	<u>Transfer</u>	<u>\$100</u>
<u>Sewer Extensions</u>	<u>New</u>	<u>\$2,500</u>
	<u>Amendment</u>	<u>\$500</u>
	<u>Transfer</u>	<u>\$250</u>
<u>Pump Station</u>	<u>New</u>	<u>\$2,500</u>
	<u>Amendment</u>	<u>\$500</u>
	<u>Transfer</u>	<u>\$250</u>
<u>Land Application and Reuse of Sewage</u>	<u>New and Reissuance</u>	<u>\$5,000</u>
	<u>Amendment</u>	<u>\$1,000</u>
	<u>Transfer</u>	<u>\$250</u>
<u>Land Application and Reuse of Industrial Waste</u>	<u>New and Reissuance</u>	<u>\$10,000</u>
	<u>Amendment</u>	<u>\$2,000</u>
	<u>Transfer</u>	<u>\$250</u>
<u>Manure Storage and Wastewater Impoundment</u>	<u>New</u>	<u>\$2,500</u>
	<u>Amendment</u>	<u>\$500</u>
	<u>Transfer</u>	<u>\$250</u>

(b) [An] NOI fees for coverage under a general water quality management permit, including fees for amendments to and transfers of general permit coverage, shall be [accompanied by a check] made payable to the "Commonwealth of Pennsylvania[,]" [in the amount no greater than \$500 as set forth in the public notice for the general water quality management permit as described in § 91.27(b)(1) (relating to general water quality management permit).] The fees for a general permit in § 91.27(b)(1) (relating to general water quality management permit) shall be established in the general permit. NOI fees may not exceed the individual permit application fees in subsection (a) for the equivalent category and application type.

(c) The Department will adjust fees for WQM permit applications required under subsection (a) every 2 years based on the United States Bureau of Labor Statistics Employment Cost Index for State and Local Government Compensation, or an equivalent index recognized by the United States Department of Labor, beginning 2 years after (Editor's Note: The blank refers to the effective date of the final-form rulemaking). The adjustment will be based upon the cost difference for the most recent 2-year period prior to the calculation. The fees shall not be adjusted if the application of the index would result in fees exceeding the Department's costs to administer the Clean Water Program. The Department will publish the final adjusted fee schedule and effective date in the Pennsylvania Bulletin.

(d) The Department will review the adequacy of the fees established in this section every 3 years and provide a written report to the EQB. The report will identify disparities between the amount of program income generated by the fees and the costs to administer the program, and contain recommendations to increase fees to eliminate any disparities, including recommendations for regulatory amendments to increase program fees.

(e) Any Federal or Commonwealth agency or independent Commonwealth commission that provides funding to the Department for the implementation of the WQM program through terms and conditions of a mutual agreement may be exempt from the fees in this section.

§ 91.27. General water quality management permit.

* * * * *

(c) Denial of coverage. The Department may deny coverage under the general permit when one or more of the following conditions exist:

- (1) The NOI is not complete or timely.
- (2) The applicant has not obtained permits required by Chapter [92] 92a (relating to National Pollutant Discharge Elimination System permitting, monitoring and compliance) when required.

* * * * *

MANAGEMENT OF OTHER WASTES

§ 91.36. Pollution control and prevention at agricultural operations.

* * * * *

- (b) Land application of animal manure and agricultural process wastewater; setbacks and buffers.
 - (1) The land application of animal manures and agricultural process wastewater requires a permit or approval from the Department unless the operator can demonstrate that the land application meets one of the following:
 - (i) The land application follows current standards for development and implementation of a plan to manage nutrients for water quality protection, including soil and manure testing and calculation of proper levels and methods of nitrogen and phosphorus application. The Manure Management Manual contains current standards for development and implementation of a plan to manage nutrients for water quality protection which can be used to comply with the requirements in paragraph (1).
 - (ii) For CAOs, the land application is in accordance with an approved nutrient management plan under Chapter 83, Subchapter D.
 - (iii) For CAFOs, the land application is in accordance with a CAFO permit as described in § [92.5a] 92a.29 (relating to CAFOs).
 - (2) Unless more stringent requirements are established by statute or regulation, the following agricultural operations may not mechanically land apply manure within 100 feet of surface water, unless a vegetated buffer of at least 35 feet in width is used, to prevent manure runoff into surface water:
 - (i) A CAO.
 - (ii) An agricultural operation receiving manure from a CAO directly, or indirectly through a broker or other person.
 - (iii) An agricultural operation receiving manure from a CAFO directly, or indirectly through a broker or other person.
- (3) CAFOs shall meet the setback requirements in § [92.5a(e)(1)(i)] 92a.29(e)(1)(i).

* * * * *

UNDERGROUND DISPOSAL

§ 91.52. Procedural requirements for underground disposal.

A permit issued under § 91.51 (relating to potential pollution resulting from underground disposal) shall be issued in accordance with the requirements of Chapter [92] 92a (relating to National Pollutant Discharge Elimination System permitting, monitoring and compliance) when applicable.

CHAPTER 92a. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMITTING, MONITORING AND COMPLIANCE

Subchapter B. PERMIT APPLICATION AND SPECIAL NPDES PROGRAM REQUIREMENTS

§ 92a.26. Application fees.

(a) [The] NPDES application [fee is] fees are payable to the [Clean Water Fund] Commonwealth of Pennsylvania according to the fee schedule set forth in this section. All flows listed in this section are total annual average design flows for all discharges at a facility in million gallons per day (MGD).

(b) Applications fees for new individual NPDES permits [for discharges of treated sewage are:] are as follows.

[SRSTP	\$100 for new; \$100 for reissuance
Small flow treatment facility	\$250 for new; \$250 for reissuance
Minor facility < 50,000 GPD	\$500 for new; \$250 for reissuance
Minor facility > = 50,000 GPD < 1 MGD	\$1,000 for new; \$500 for reissuance
Minor facility with CSO	\$1,500 for new; \$750 for reissuance
Major facility > = 1 MGD < 5 MGD	\$2,500 for new; \$1,250 for reissuance
Major facility > = 5 MGD	\$5,000 for new; \$2,500 for reissuance
Major facility with CSO	\$10,000 for new; \$5,000 for reissuance]

<u>Category</u>	<u>Application Fee</u>
<u>Single Residence Sewage Treatment Plant</u>	<u>\$200</u>
<u>Small Flow Treatment Facility</u>	<u>\$1,000</u>
<u>Minor Sewage Facility < 0.05 MGD</u>	<u>\$1,500</u>
<u>Minor Sewage Facility >= 0.05 MGD and < 1.0 MGD</u>	<u>\$2,000</u>
<u>Minor Sewage Facility with CSO</u>	<u>\$5,000</u>
<u>Major Sewage Facility >= 1.0 MGD and < 5.0 MGD</u>	<u>\$7,500</u>
<u>Major Sewage Facility >= 5.0 MGD</u>	<u>\$10,000</u>
<u>Major Sewage Facility with CSO</u>	<u>\$15,000</u>
<u>Minor Industrial Waste Facility not covered by ELG</u>	<u>\$5,000</u>
<u>Minor Industrial Waste Facility covered by ELG</u>	<u>\$7,500</u>
<u>Major Industrial Waste Facility < 250 MGD</u>	<u>\$15,000</u>
<u>Major Industrial Waste Facility >= 250 MGD</u>	<u>\$100,000</u>
<u>Industrial Stormwater</u>	<u>\$5,000</u>
<u>CAFO</u>	<u>\$3,000</u>
<u>MS4</u>	<u>\$5,000</u>
<u>CAAP</u>	<u>\$3,000</u>
<u>Pesticides</u>	<u>\$3,000</u>
<u>Mining Activity</u>	<u>\$1,000</u>

In addition, the application fee for reissuance of an individual NPDES permit associated with a mining activity shall be \$500.

[(c) Applications fees for individual NPDES permits for discharges of industrial waste are:	
Minor facility not covered by an ELG	\$1,000 for new; \$500 for reissuance
Minor facility covered by an ELG	\$3,000 for new; \$1,500 for reissuance
Major facility < 250 MGD	\$10,000 for new; \$5,000 for reissuance
Major facility > = 250 MGD	\$50,000 for new; \$25,000 for reissuance
Mining activity	\$1,000 for new; \$500 for reissuance
Stormwater	\$2,000 for new; \$1,000 for reissuance

(d) Application fees for individual NPDES permits for other facilities or activities are:

CAFO	\$1,500 for new; \$750 for reissuance
CAAP	\$1,500 for new; \$750 for reissuance
MS4	\$5,000 for new; \$2,500 for reissuance

(e) Application fees for transfers of individual permits are:

[SRSTP] <u>Single residence sewage treatment plant</u>	\$50
Small flow treatment facility	\$100
[Other domestic wastewater] <u>All other sewage facilities</u>	\$200
Industrial waste, Industrial stormwater, CAFO, MS4 and CAAP	\$500

(f) Application fees for amendments to individual permits are:

Amendment initiated by Department	No charge
Minor Amendment for single residence sewage treatment plant	\$50
Minor Amendment for small flow treatment facility	\$100
Minor amendment <u>for all other facilities</u>	\$200
Major amendment	Same as [reissuance permit fee] <u>annual fee established in § 92a.62 (relating to annual fees)</u>

(g) NOI fees for coverage under a general permit under § 92a.23 (relating to NOI for coverage under an NPDES general permit), **including fees for amendments to or transfers of general permit coverage**, will be established in the general permit. **[NOI fees may not exceed \$2,500, except as provided in Chapter 102 (relating to erosion and sediment control).] NOI fees under this chapter may not exceed the individual permit application fees in subsections (b), (c) and (d) and annual fee in § 92a.62 (relating to annual fees) for the equivalent activity.** An eligible person shall submit to the Department the applicable NOI fee before the Department approves coverage under the general permit for that person. **If the general permit allows payment of the NOI fee in annual increments, the eligible person shall, if required by the Department, submit the initial increment to the Department with the NOI before the Department approves coverage under the general permit.**

(f) The Department will adjust fees for NPDES permit applications imposed under subsections (b)—(d) every 2 years based on the United States Bureau of Labor Statistics Employment Cost Index for State and Local Government Compensation, or an equivalent index recognized by the United States Department of Labor, beginning 2 years after (Editor’s Note: The blank refers to the effective date of the final-form rulemaking). The adjustment will be based upon the cost difference for the most recent 2-year period prior to the calculation. The fees shall not be adjusted if the application of the index would result in fees exceeding the Department’s costs to administer the Clean Water Program. The Department will publish the final adjusted fee schedule and effective date in the *Pennsylvania Bulletin*.

(h) The Department will review the adequacy of the fees established in this section at least once every 3 years and provide a written report to the EQB. The report will identify any disparity between the amount of program income generated by the fees and the costs to administer these programs, and contain recommendations to increase fees to eliminate the disparity, including recommendations for regulatory amendments to increase program fees.

(i) Any Federal or State agency or independent State commission that provides funding to the Department for the implementation of the NPDES program through terms and conditions of a mutual agreement may be exempt from the fees in this section.

§ 92a.32. Stormwater discharges.

(a) The provisions of 40 CFR 122.26(a), (b), (c)(1), (d), (e)(1), (3)—(9) and (f)—(g) (relating to storm water discharges (applicable to State NPDES programs, see § 123.25)) and 122.30—122.37 are incorporated by reference.

(b) *No exposure stormwater discharges.* Discharges composed entirely of stormwater are not stormwater discharges associated with industrial activity if there is “no exposure” of industrial materials and activities to stormwater and the discharger satisfies the conditions in 40 CFR 122.26(g). A facility or activity with no stormwater discharges associated with industrial activity may qualify for a conditional exclusion from a permit, provided that the facility or activity does not discharge to a surface water classified as a High Quality Water or an Exceptional Value Water under Chapter 93 (relating to water quality standards). To qualify for the conditional exclusion from a permit, the responsible person shall complete, sign and submit to the Department [a] **the appropriate permit application or NOI, including the appropriate application or NOI fee, and a “No Exposure Certification” on forms available from the Department at least once every 5 years [in lieu of a permit application]**.

(c) *Municipal separate storm sewer systems.* The operator of a discharge from a large, medium or small municipal separate storm sewer shall submit in its **permit application or NOI** the information required to be submitted under 40 CFR Part 122 (relating to EPA administered permit programs: the National Pollutant Discharge Elimination System). Permits for discharges from municipal separate storm sewer systems are not eligible for a “no exposure” conditional exclusion from a permit under subsection (b). **The operator of a discharge from a small MS4 may seek a waiver from NPDES permit requirements under 40 CFR 122.32(c) (relating to as an operator of a small MS4, am I**

regulated under the NPDES storm water program?). To request this waiver, the operator of the small MS4 shall complete, sign and submit to the Department the appropriate permit application or NOI, the appropriate permit application or NOI fee and an application for the waiver on forms available from the Department at least once every 5 years.

* * * * *

Subchapter D. MONITORING AND ANNUAL FEES

§ 92a.62. Annual fees.

(a) Permittees shall pay an annual fee **in the amount indicated in the following schedule** to the [Clean Water Fund] **Commonwealth of Pennsylvania**. The annual fee [**must be for the amount indicated in the following schedule and**] **for permits issued before** (*Editor's Note: The blank refers to the effective date of the final-form rulemaking*) is due on each anniversary of the [**effective date of the permit**] **effective date of the last permit issuance or reissuance until the Department terminates the permit. The annual fee for permits issued for the first time after** (*Editor's Note: The blank refers to the effective date of the final-form rulemaking*) is due on each anniversary of the effective date of the initial permit until the Department terminates the permit. The flows listed in this section are **total** annual average design flows **for all discharges at a facility in million gallons per day (MGD)**.

(b) Annual fees for individual NPDES permits [**for discharges of treated sewage are:**] **are as follows:**

[SRSTP	\$0
Small flow treatment facility	\$0
Minor facility < 50,000 GPD	\$250
Minor facility > = 50,000 GPD < 1 MGD	\$500
Minor facility with CSO	\$750
Major facility > = 1 MGD < 5 MGD	\$1,250
Major facility > = 5 MGD	\$2,500
Major facility with CSO	\$5,000]

<i>Category</i>	<i>Annual Fee</i>
<u>Single Residence Sewage Treatment Plant</u>	<u>\$100</u>
<u>Small Flow Treatment Facility</u>	<u>\$500</u>
<u>Minor Sewage Facility < 0.05 MGD</u>	<u>\$750</u>
<u>Minor Sewage Facility ≥ 0.05 MGD and < 1.0 MGD</u>	<u>\$1,000</u>
<u>Minor Sewage Facility with CSO</u>	<u>\$2,500</u>
<u>Major Sewage Facility ≥ 1.0 MGD and < 5.0 MGD</u>	<u>\$3,750</u>
<u>Major Sewage Facility ≥ 5.0 MGD</u>	<u>\$5,000</u>
<u>Major Sewage Facility with CSO</u>	<u>\$7,500</u>
<u>Minor Industrial Waste Facility not covered by ELG</u>	<u>\$2,500</u>
<u>Minor Industrial Waste Facility covered by ELG</u>	<u>\$3,750</u>
<u>Major Industrial Waste Facility < 250 MGD</u>	<u>\$7,500</u>
<u>Major Industrial Waste Facility ≥ 250 MGD</u>	<u>\$50,000</u>
<u>Industrial Stormwater</u>	<u>\$2,500</u>
<u>CAFO</u>	<u>\$1,500</u>
<u>MS4</u>	<u>\$2,500</u>
<u>CAAP</u>	<u>\$1,500</u>
<u>Pesticides</u>	<u>\$1,500</u>
<u>Mining Activity</u>	<u>\$0</u>
<u>Stormwater Associated with Construction Activities</u>	<u>\$500</u>

[(c) Annual fees for individual NPDES permits for discharges of industrial waste are:

Minor facility not covered by an ELG	\$500
Minor facility covered by an ELG	1,500
Major facility < 250 MGD	\$5,000
Major facility > = 250 MGD	\$25,000
Mining activity	\$0
Stormwater	\$1,000

(d) Annual fees for individual NPDES permits for other facilities or activities are:

CAFO	\$0
CAAP	\$0
MS4	\$500]

(c) The Department will adjust annual fees required under subsection (b) every 2 years based on the United States Bureau of Labor Statistics Employment Cost Index for State and Local Government Compensation, or an equivalent index recognized by the United States Department of Labor, beginning 2 years after (Editor's Note: The blank refers to the effective date of the final-form rulemaking). The adjustment will be based upon the cost difference for the most recent 2-year period prior to the calculation. The fees shall not be adjusted if the application of the index would result in fees exceeding the Department's costs to administer the Clean Water Program. The Department will publish the final adjusted fee schedule and effective date in the Pennsylvania Bulletin.

[(e)] (d) The Department will review the adequacy of the fees established in this section at least once every 3 years and provide a written report to the EQB. The report will identify any disparity between the amount of program income generated by the fees and the costs to administer these programs, and contain recommendations to increase fees to eliminate the disparity, including recommendations for regulatory amendments to increase program fees.

[(f)] (e) Any Federal or State agency or independent state commission that provides funding to the Department for the implementation of the NPDES Program through terms and conditions of a mutual agreement may be exempt from the fees in this section.

[Pa.B. Doc. No. 19-453. Filed for public inspection March 29, 2019, 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 March 19, 2019.

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

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
03-13-2019	QNB Bank Quakertown Bucks County	535 North 19th Street Allentown Lehigh County	Filed
03-18-2019	Republic First Bank Philadelphia Philadelphia County	Corner of Mechanicsville Road and Street Road Bensalem Bucks County	Filed
03-18-2019	Republic First Bank Philadelphia Philadelphia County	Corner of Tilton Road and Cresson Avenue Northfield Atlantic County, NJ	Filed

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
03-13-2019	QNB Bank Quakertown Bucks County	<i>To:</i> Southwest corner of Pottstown and Seminary Street Pennsburg Montgomery County <i>From:</i> 410-420 Pottstown Avenue Pennsburg Montgomery County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
03-08-2019	Northwest Bank Warren Warren County	24 East Main Street Mount Joy Lancaster County	Closed
03-08-2019	Northwest Bank Warren Warren County	2296 South Market Street Elizabethtown Lancaster County	Closed
03-08-2019	Northwest Bank Warren Warren County	350 Locust Street Columbia Lancaster County	Closed
03-15-2019	Wayne Bank Honesdale Wayne County	637 Route 739 Lords Valley Pike County	Closed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 19-454. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Availability of Applications for the Emergency Solutions Program

The Department of Community and Economic Development (Department), Center for Community Development Operations, is anticipating receiving funding through the United States Department of Housing and Urban Development for the Emergency Solutions Grant. The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (Pub.L. No. 111-22) provides funding for Emergency Solutions for the Commonwealth to address the needs of homeless people through services in Rapid Rehousing, Street Outreach, Homelessness Prevention and Emergency Shelters. The focus is to help individuals and families to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness, or both.

The Department will accept applications from any general purpose units of local government, including cities, boroughs, townships, towns, counties, home rule municipalities and communities that wish to apply on behalf of other municipalities. Priority will be given to nonentitled jurisdictions; however, the Department will consider funding applications received from all eligible government jurisdictions previously listed. Nonprofits are eligible applicants or grantees to the extent the project will address a demonstrated regional need.

The guideline review is open from April 1, 2019, through June 14, 2019. A fully executed application with all applicable attachments must be submitted to the Department through the Electronic Single Application (ESA) only during the designated time ESA is open. A webinar will be conducted on April 9, 2019. The ESA will open on May 31, 2019, and close at 5 p.m. on June 14, 2019. Applicants must submit an intent to apply form included in the application kit no later than April 15, 2019, by e-mail to shawthorne@pa.gov and their local Continuum of Care. Applications received during this time will be considered for funding. Hard copies will not be accepted. The application is located on the Department's web site at <https://dced.pa.gov/programs/emergency-solutions-grant-esg/>.

A copy of the guidelines and application may be obtained by download from the Department's previously listed web site. A hard copy may be requested by persons with a disability who wish to submit an application in accordance with the stated provisions and who require assistance with that application. Persons who require copies of this notice in an alternate format (large type, Braille, and the like) should contact Megan Snyder, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120, (717) 787-7404, TDD (717) 346-0308 to discuss how the Department may best accommodate those needs.

Copies of the application may also be viewed at any of the Department's regional offices. The following is the listing of the Department's regional offices and the counties they serve:

Regional Offices

Southeast

Bucks, Chester, Delaware, Montgomery and Philadelphia Counties

Department of Community and Economic Development
200 South Broad Street, 11th Floor
Philadelphia, PA 19102
(215) 560-5822

Northeast

Bradford, Carbon, Clinton, Columbia, Lackawanna, Luzerne, Lycoming, Montour, Pike, Schuylkill, Sullivan, Susquehanna, Tioga, Wayne and Wyoming Counties

Department of Community and Economic Development
2 North Main Street
Pittston, PA 18640
(570) 963-4571

Lehigh Valley

Berks, Lehigh, Monroe, Lebanon, Northampton, Snyder and Union Counties
400 North Street, 4th Floor
Harrisburg, PA 17120
(717) 877-8481

Central

Adams, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Mifflin, Perry and York Counties

Department of Community and Economic Development
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120
(717) 720-7386

Southwest

Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland Counties

Department of Community and Economic Development
301 5th Avenue, Suite 250
Pittsburgh, PA 15222
(412) 565-5002

Northwest

Cameron, Centre, Clarion, Clearfield, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Potter, Venango and Warren Counties

Department of Community and Economic Development
100 State Street, Suite 205
Erie, PA 16507
(814) 871-4241

Main Office

Center for Community and Housing Development
400 North Street, 4th Floor
Commonwealth Keystone Building
Harrisburg, PA 17120
(717) 787-5327

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 19-455. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Weatherization Assistance Program; Proposed State Plan; Public Hearing

The Department of Community and Economic Development (Department) will hold a public hearing at 3 p.m. on Thursday, April 11, 2019, in PUC Hearing Room 3, Plaza Level, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA. The purpose of this hearing is to receive comments on the proposed Pennsylvania 2019-2020 annually appropriated United States Department of Energy (DOE) Weatherization Assistance Program (WAP) State Plan (Plan).

The proposed 2019-2020 Plan will authorize the formula-based distribution for each county. Specific performance goals emphasize production, quality of the work product, prompt, accurate and complete reporting, and compliance with WAP standards and regulations.

The Plan includes the following changes:

- A request to use materials not listed in Appendix A.
- Update the lifetime expectancies of some materials.
- The ongoing plan of work to receive DOE approval of the Commonwealth's multifamily weatherization to include a multifamily audit tool and finalized policy and process.
- Continuation of the activities to address the American Consumer Index Survey responses.
- Review of current allocation formula.

There is a continued National focus on coordination of efforts where other health and safety, lead-abatement, utility weatherization and housing rehab services are coordinated locally with weatherization services.

Copies of the proposed 2019-2020 Plan may be obtained beginning March 29, 2019, by contacting the Department of Community and Economic Development, Center for Community Services, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120, (717) 425-7597 or it can be downloaded from the Department's web site at www.dced.pa.gov. Written comments may be

submitted to Lynette Praster, Director, Center for Community Services, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120 until 5 p.m. on April 11, 2019.

Persons with a disability who wish to attend this hearing and require auxiliary aid, services or other accommodations to participate in the proceedings should contact Yvonne Adams at (717) 425-7597 to discuss how the Department may accommodate their needs.

DENNIS M. DAVIN,
Secretary

[Pa.B. Doc. No. 19-456. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Request by Penn Foster College for Approval of a Change of Ownership to Continue Operation as an Education Enterprise in this Commonwealth

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6504 (relating to fundamental changes), the Department of Education (Department) will consider the request for approval of a change of ownership at Penn Foster College to continue its operation as an education enterprise in this Commonwealth. A stock purchase agreement closed on April 30, 2018, showing that Education Holdings I, Inc. is owned by Bain Capital Double Impact Fund, 70.1%; minority co-investors, 26.6%; and management team, 3.3%. The Arizona State Board for Private Postsecondary Education, the university's home jurisdiction, approved the proposed change of ownership on July 26, 2018.

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

Petitions to intervene, protest and request for hearing shall be filed with the Division of Higher and Career Education, 333 Market Street, 12th Floor, Harrisburg, PA 17126-0333 on or before the due date prescribed by this notice. Persons wishing to review the request should phone (717) 783-8228 or write to the previously listed address to schedule a time for a review.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodations to participate, should contact the Division of Higher and Career Education at (717) 783-8228 to discuss accommodations.

PEDRO A. RIVERA,
Secretary

[Pa.B. Doc. No. 19-457. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS212202 (Storm Water)	Allentown Ready Mix 3912 Brumbaugh Road New Enterprise, PA 16664	Lehigh County South Whitehall Township	Unnamed Tributary to Little Cedar Creek (2-C)	Yes
PA0061719 (Sewage)	Aqua Pennsylvania Wastewater, Inc. Pinecrest WWTP Tamaqua Lake Road Pocono Pines, PA 18350	Monroe County Tobyhanna Township	Beaver Creek (2-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0246565 (IW)	Kinsley Concrete 629 Loucks Mill Rd York, PA 17403-1010	York County/ Spring Garden Township	UNT Codorus Creek/7-H	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0254681 (Sewage)	Nineveh STP 1317 Browns Creek Road Sycamore, PA 15364-1302	Greene County Morris Township	Browns Creek (19-B)	Yes
PA0253324 (Sewage)	Scenery Hill Manor Personal Care Home STP P.O. Box 240 Brockway, PA 15824-0240	Indiana County Armstrong Township	Cheese Run (17-E)	Yes
PA0219321 (Sewage)	Shanksville Borough STP 1235 Main Street Shanksville, PA 15560-0127	Somerset County Shanksville Borough	Stonycreek River (18-E)	Yes
PA0098094 (Sewage)	Pittsburgh Airport Park MHP STP 3499 US Highway 9 Suite 3C Freehold, NJ 07728-3277	Beaver County Independence Township	Raccoon Creek (20-D)	Yes
PA0032263 (Sewage)	Yellow Creek State Park 170 Route 259 Highway Penn Run, PA 15765	Indiana County Brush Valley Township	Unnamed Tributary to Yellow Creek and Yellow Creek (18-D)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0238686 (Sewage)	Brandywine Village STP P.O. Box 431 Connoquenessing, PA 16027	Butler County Connoquenessing Township	Unnamed tributary to Little Connoquenessing Creek (20-C)	Yes

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

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

PA0276189, Sewage, SIC Code 4952, **Schuylkill County Municipal Authority**, 221 S Centre Street, Pottsville, PA 17901. Facility Name: Mahanoy Business Park/Yudacot LPP WWTP. This proposed facility is located in Mahanoy Township, **Schuylkill County**.

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

The receiving stream(s), Codorus Creek, is located in State Water Plan watershed 3-A and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .049 MGD.—Limits.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.28	XXX	0.66
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	4.68	XXX	9.36
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	0.5	XXX	1
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

Sludge use and disposal description and location(s): TBA—New Facility.

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.

PA0084255, Sewage, SIC Code 4952, **Swatara Mobile Homes**, 2228 Grace Avenue, Lebanon, PA 17046-8028. Facility Name: Swatara MHP STP. This existing facility is located in Swatara Township, **Lebanon County**.

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

The receiving stream(s), Unnamed Tributary of Swatara Creek, is located in State Water Plan watershed 7-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 .0088 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)		XXX Daily Max				
Dissolved Oxygen	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.07	XXX	0.23
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	XXX	XXX	XXX	2.5	XXX	5

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

Sludge use and disposal description and location(s):

Sludge is periodically hauled out by a license hauler to Annville Township STP.

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

- Collected Screenings, Chlorine Minimization and Solids Management

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

The EPA Waiver is in effect.

PA0088536, Sewage, SIC Code 7032, 7033, **Camp Hebron**, 957 Camp Hebron Road, Halifax, PA 17032-9520. Facility Name: Camp Hebron Retreat. This existing facility is located in Halifax Township, **Dauphin 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), Powell Creek, is located in State Water Plan watershed 6-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0206 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

Sludge use and disposal description and location(s):

Periodically hauled out by Walter's septic services.

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

- Collected Screenings, Solids Management, Chlorine Minimization

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

The EPA Waiver is in effect.

PA0028142, Sewage, SIC Code 4952, 5093, 9711, **PA Department of Military & Veterans Affairs Army National Guard**, Bldg 0-11, Annville, PA 17003. Facility Name: Fort Indiantown Gap Military Ops & ADM. This existing facility is located in East Hanover Township, **Lebanon County**.

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

The receiving stream(s), Swatara Creek, is located in State Water Plan watershed 7-D and is classified for Warm Water 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 1 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	209	XXX	XXX	25	XXX	50
Total Suspended Solids	250	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	100	XXX	XXX	12	XXX	24
Total Phosphorus	16.7	XXX	XXX	2.0	XXX	4
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX

The proposed monitoring requirements and effluent limits for implementation of Pennsylvania's Chesapeake Bay Watershed Implementation Plan are as follows for Outfall 001.—Limits.

<i>Parameter</i>	<i>Mass Units (lbs/day)</i>		<i>Effluent Limitations</i>			<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Concentrations (mg/L)</i> <i>Monthly Average</i>	<i>Maximum</i>	
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	24,353	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	3,044	XXX	XXX	XXX	XXX

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

Sludge use and disposal description and location(s):

- Dewatered Sludge is land applied by the permittee

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

- Stormwater Prohibition
- Approval Contingencies, Proper Waste/solids Management
- Restriction on receipt of hauled in waste under certain conditions
- Annual report of maintenance work
- Sanitary sewer overflows/bypasses at the facility
- Stormwater Management/Monitoring Requirement for stormwater outfall 002 to 006

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.

PA0087742, Sewage, SIC Code 7033, **Eagles Peak Campground Inc.**, 905 16th Place, Vero Beach, FL 32960-5526. Facility Name: Eagles Peak Campground. This existing facility is located in Millcreek Township, **Lebanon County**.

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

The receiving stream(s), Unnamed Tributary to Furnace Creek, is located in State Water Plan watershed 3-C 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 .025 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 5.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.10	XXX	0.31
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	6.0	XXX	12
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4
Total Phosphorus	Report	XXX	XXX	1.0	XXX	2
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Daily Max Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Daily Max Report	XXX

Sludge use and disposal description and location(s):

Periodically hauled out by Kline's.

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

- Collected Screenings, Solids Management, Chlorine Minimization

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

The EPA Waiver is in effect.

PA0084417, Sewage, SIC Code 4952, **Quad B Enterprises LLC**, 5067 Spring Road, Shermans Dale, PA 17090-8317. Facility Name: Village Square Plaza Mall. This existing facility is located in Carroll Township, **Perry 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 Sherman Creek, is located in State Water Plan watershed 7-A and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .03 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	11	XXX	22

The proposed effluent limits for Outfall 001 are based on a design flow of .03 MGD.—Limits.

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

Sludge use and disposal description and location(s): Biosolids disposed in Adams County as agricultural utilization.

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

The EPA Waiver is in effect.

PA0083569, Sewage, SIC Code 4952, **Riverview Homeowners Association**, 656 Excavating Drive, Roaring Spring, PA 16673-8538. Facility Name: Riverview Estates Development. This existing facility is located in West Providence Township, **Bedford 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), Raystown Branch Juniata River, is located in State Water Plan watershed 11-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .015 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

Sludge use and disposal description and location(s): Orchard Lane Excavation in Blair County (DEP Permit # 007005).

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

The EPA Waiver is in effect.

PA0259951, Sewage, SIC Code 6514, **Bradley Jody O**, 3143 Schellsburg Road, Claysburg, PA 16625. Facility Name: Jody Bradley Properties. This existing facility is located in Greenfield Township, **Blair County**.

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

The receiving stream(s), Unnamed Tributary of Smoky Run, is located in State Water Plan watershed 11-A 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 .0005 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Report Avg Mo	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD 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	200 Avg Mo	XXX	XXX	XXX

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

The EPA Waiver is in effect.

PA0081582, Sewage, SIC Code 4952, **Possum Valley Municipal Authority Adams County**, 609 Clearview Road, Aspers, PA 17304. Facility Name: Possum Valley STP. This existing facility is located in Menallen 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), Opossum Creek, is located in State Water Plan watershed 7-F and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .12 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Nitrate-Nitrite as N	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .12 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.4	XXX	1.4
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	25	40	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	30	45	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	18	XXX	XXX	18	XXX	36
May 1 - Oct 31	6.0	XXX	XXX	6.0	XXX	12
Total Phosphorus	2.0	XXX	XXX	2.0	XXX	4

Sludge use and disposal description and location(s): Biosolids disposed at DBF IIA, Dickinson Township, Cumberland County.

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

The EPA Waiver is in effect.

PA0081396, Sewage, SIC Code 4952, **Peifer & Gross Inc.**, P.O. Box 506, Elizabethtown, PA 17022-0506. Facility Name: Laurelwood MHP. This existing facility is located in Newberry Township, **York 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 Bennett Run, is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0033 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.2	XXX	0.5
Carbonaceous Biochemical Oxygen Demand (CBOD 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)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	7.5	XXX	15.0
May 1 - Oct 31	XXX	XXX	XXX	2.5	XXX	5.0
Ammonia-Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

Sludge use and disposal description and location(s): Solids to be hauled offsite for disposal.

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

- N/A

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

The EPA Waiver is in effect.

PA0086967, Industrial, SIC Code 4952, **Myerstown Borough Water Authority Lebanon County**, 101 E Washington Avenue, Myerstown, PA 17067-1142. Facility Name: Myerstown Water Authority System. This existing facility is located in Jackson Township, **Lebanon County**.

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

The receiving stream(s), Unnamed Tributary to Tulpehocken Creek, is located in State Water Plan watershed 3-C 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 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Average Weekly	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

PA0084018, Sewage, SIC Code 4952, **Fishing Creek Estates Homeowners Assoc**, 2805 Old Post Road, Suite 200, Harrisburg, PA 17110-3677. Facility Name: Fishing Creek Estates STP. This existing facility is located in Middle Paxton Township, **Dauphin 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), Fishing Creek, is located in State Water Plan watershed 7-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 .026 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Average Weekly	Daily Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

Sludge use and disposal description and location(s):

Periodically hauled out by a license hauler.

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

- Collected Screenings, Solids Management, Chlorine Minimization

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

The EPA Waiver is in effect.

PA0266784, Sewage, SIC Code 4952, **Glenda P. Perry**, 218 Snyder Hollow Road, New Providence, PA 17560. Facility Name: Perry Residence SRSTP. This proposed facility is located in Providence Township, **Lancaster County**.

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

The receiving stream(s), Huber Run, is located in State Water Plan watershed 7-K and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
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
				Geo Mean		

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

The EPA Waiver is in effect.

PA0085014, Sewage, SIC Code 4952, **Conestoga Township**, 3959 Main Street, Conestoga, PA 17516-9616. Facility Name: Conestoga Township Colemanville STP. This existing facility is located in Conestoga Township, **Lancaster County**.

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

The receiving stream(s), Pequea Creek, is located in State Water Plan watershed 7-K 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 .004 MGD.

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	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	0.8	1.2	XXX	25.0	37.0	50
Total Suspended Solids	1.0	1.5	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

The proposed effluent limits for Outfall 001 are based on a design flow of .004 MGD.—Limits.

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

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

The EPA Waiver is in effect.

NPDES Permit No. PA0265934, CAFO, **David S Morrow**, 237 Briar Lane, Loysville, PA 17047-9154.

This existing facility is located in Southwest Madison Township, **Perry County**.

Description of size and scope of existing operation/activity: Swine (Grow—Finish), Beef (Cow and Calves): 619.34 AEU's.

The receiving stream, Cisna Run, is in watershed 7-A and classified for: High Quality—Cold Water and Migratory Fish.

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

NPDES Permit No. PA0246948, CAFO, **Brian D Eckman & Donald M Eckman**, 357 Black Barren Road, Peach Bottom, PA 17563-9798.

This existing facility is located in Fulton Township, **Lancaster County**.

Description of size and scope of existing operation/activity: Poultry (Broilers), Swine (Grow—Finish): 648.41 AEU's.

The receiving stream, Unnamed Tributary of Conowingo Creek, is in watershed 7-K and classified for: High Quality—Cold Water, High Quality Waters—Cold Water Fishes and Migratory Fish.

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

NPDES Permit No. PA0248312, CAFO, **Willow Behrer Farm LLC**, 3288 Behrer Lane, Spruce Creek, PA 16683-1500.

This existing facility is located in Franklin Township, **Huntingdon County**.

Description of size and scope of existing operation/activity: Dairy (Cows, Heifers, Calves, Bulls): 1,531.30 AEU's.

The receiving stream, Unnamed Tributary to Spruce Creek, is in watershed 11-A and classified for: High Quality—Cold Water, High Quality Waters—Cold Water Fishes and Migratory Fish.

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

NPDES Permit No. PA0281727, CAFO, **Hamilton Farms LLC**, 10049 Ferguson Valley Road, Lewistown, PA 17044-8601.

This proposed facility is located in Adams Township, **Snyder County**.

Description of size and scope of proposed operation/activity: Swine (Grow—Finish): 756.74 AEU's.

The receiving stream, Unnamed Tributary of North Branch Middle Creek, is in watershed 6-A and classified for: Cold Water Fishes and Migratory Fishes.

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

PA0081825, Sewage, SIC Code 4952, 6515, **UMH PA Rolling Hills Estates LLC**, 3499 US Highway 9, Suite 3C, Freehold, NJ 07728-3277. Facility Name: Rolling Hills Estates. This existing facility is located in Lower Frankford Township, **Cumberland County**.

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

The receiving stream(s), Conodoguinet Creek, is located in State Water Plan watershed 7-B 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 .023 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .023 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	XXX

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

The EPA Waiver is in effect.

PA0260967, Sewage, SIC Code 6515, **Silver Spring Country Estates**, P.O. Box 37635 # 65221, Philadelphia, PA 19101. Facility Name: Silver Spring Country Estates. This existing facility is located in Silver Spring Township, **Cumberland County**.

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

The receiving stream(s), Unnamed Tributary to Conodoguinet Creek, is located in State Water Plan watershed 7-B and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .013 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .013 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.03	XXX	0.10
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4

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

The EPA Waiver is in effect.

PA0087882, Sewage, SIC Code 5812, **Visaggios Inc.**, 6990 Wertzville Road, Enola, PA 17025-1037. Facility Name: Visaggios Ristorante. This existing facility is located in Silver Spring Township, **Cumberland County**.

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

The receiving stream(s), Simmons Creek, is located in State Water Plan watershed 7-B 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 .003 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	25.0	XXX	50
May 1 - Oct 31	XXX	XXX	XXX	16.0	XXX	32

The proposed effluent limits for Outfall 001 are based on a design flow of .003 MGD.—Limits.

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

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

The EPA Waiver is in effect.

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

PA0255360, Storm Water, SIC Code 4225, 4491, **Three Rivers Marine & Rail Terminal LLC**, 17 Arentzen Boulevard, Suite 206, Charleroi, PA 15022. Facility Name: Belle Vernon River Terminal. This proposed facility is located in Rostraver Township, **Westmoreland County**.

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

The receiving stream(s), 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)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Daily Min			
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	50.0
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fluoride, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	7.0
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Daily Min			
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	7.0

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Daily Min			
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	7.0

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

- Three Rivers Marine & Rail Terminal, LLC is required to install a synthetic liner in Pond 1 per Part C.II.E.14.a condition of the permit within the first year from permit effective date.
- Stormwater benchmarks have been added in Part C.V.F condition of the permit. In the event that stormwater discharge concentrations for a parameter exceeds the benchmark value(s) at the same outfall for two or more consecutive monitoring periods, Three Rivers Marine & Rail Terminal, LLC shall develop a corrective action plan to reduce the concentrations of the parameters in stormwater discharges.

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

The EPA Waiver is in effect.

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

PA0272051, Sewage, SIC Code 4952, 8800, **Bruce Sunday**, 123 Old Route 68, Evans City, PA 16033-7613. Facility Name: Bruce Sunday SRSTP. This proposed facility is located in Forward Township, **Butler County**.

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

The receiving stream is an unnamed tributary to Connoquenessing Creek, located in State Water Plan watershed 20-C and 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 0.0004 MGD.

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

<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>	
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

Sewage sludge is temporarily stored in the treatment unit for later off-site disposal.

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

The EPA Waiver is in effect.

PA0272098, Sewage, SIC Code 4952, 8800, **David R. Pierce**, 11307 W Brookdale Drive, Meadville, PA 16335. Facility Name: SRSTP. This proposed facility is located at 21481 Fisher Road, Meadville, PA 16335 in Woodcock Township, **Crawford County**.

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

The receiving stream is an unnamed tributary of Woodcock Creek, located in State Water Plan watershed 16-A and classified for cold water fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

Sewage sludge is stored in the operating equipment for off-site disposal.

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

The EPA Waiver is in effect.

PA0005584, Industrial, SIC Code 3221, **Owens Illinois Inc.**, 3831 Route 219, Brockport, PA 15823-3811. Facility Name: Owens Brockway Glass Container Plant 19. This existing facility is located in Snyder Township, **Jefferson County**.

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

The receiving stream(s), Little Toby Creek, is located in State Water Plan watershed 17-A 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 MGD.

The proposed effluent limits for Outfall 003 are based on a design flow of 0 MGD.

The proposed effluent limits for Outfall 004 are based on a design flow of 0 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>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of .00912 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>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	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>	
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Temperature (°F)	XXX	XXX	XXX	Report	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 not in effect.

PA0271942, Sewage, SIC Code 8800, **Stephen Eger**, 425 Arbor Drive, Mars, PA 16046. Facility Name: Stephen Eger SRSTP. This proposed facility is located in Jackson Township, **Butler County**.

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

The receiving stream(s), Unnamed Tributary to Breakneck Creek, is located in State Water Plan watershed 20-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 0.0005 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 (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

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

The EPA Waiver is in effect.

PA0271977, Sewage, SIC Code 8800, **Robin Valone**, 565 Akeley Road, Russell, PA 16345. Facility Name: Robin Valone 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 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.—Limits.

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

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

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

The EPA Waiver is in effect.

PA0271985, Sewage, SIC Code 8800, **Theodore S. Carrington, Jr.**, 2215 Irvine Run Road, Irvine, PA 16329. Facility Name: Ted Carrington SRSTP. This proposed facility is located in Brokenstraw 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, the Irvine 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.—Limits.

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

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

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 4619402, Sewage, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

Description of Action/Activity: Upgrades to the existing pump station to accommodate additional flow from a new development.

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

WQM Permit No. 3919401, Sewage, **Lehigh Carbon Comm College**, 4525 Education Park Drive, Schnecksville, PA 18078-2502.

This proposed facility is located in North Whitehall Township, **Lehigh County**.

Description of Proposed Action/Activity: Permit for improvements to the existing wastewater treatment plant by upgrading to a new Sequence Batch Reactor, installing a new channel grinder, and repurposing two existing Aeration tanks.

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

WQM Permit No. WQG02221901, Sewerage, **Elizabethville Area Authority**, 4154 Rte 225 North, Elizabethville, PA 17023.

This proposed facility is located in Elizabethville Borough, **Dauphin County**.

Description of Proposed Action/Activity: Seeking permit approval for the replacement/operation of the Smith Avenue Pump Station.

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

WQM Permit No. 1019403, Sewage, **PA DCNR**, 225 Pleasant Valley Road, Portersville, PA 16051-9650.

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

Description of Proposed Action/Activity: Upgrade of the sewage collection and conveyance facilities in the North Shore sewage system of Moraine State Park.

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

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

PAI130053, MS4, **Londonderry Township Chester County**, 103 Daleville Road, Cochranville, PA 19330. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Londonderry Township, **Chester County**. The receiving

stream(s), Unnamed Tributary to East Branch Big Elk Creek and East Branch Big Elk Creek, is located in State Water Plan watershed 7-K and is classified for Mi and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

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

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

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>
PAD090036	Theresa Byrne 801 Cherry Lane Southampton, PA 18966-3906	Bucks	Solebury Township	Agetong Creek HQ-CWF-MF
PAD150127	Immaculate University 1145 King Road Immaculata, PA 19345	Chester	East Whiteland Township	Valley Creek EV
PAD150120	Griffiths Construction, Inc. 851 Kimberton Road Chester Springs, PA 19425	Chester	Charlestown Township	Tributary to Pickering Creek HQ-TSF
PAD230031	Delaware County Sportsman's Association 168 Fox Road Media, PA 19063	Delaware	Middletown Township	Ridley Creek TSF-MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130018	Bryan Baumgartner Rd # 4 P.O. Box 4280 Kunkletown, PA 18058	Carbon	Towamensing Twp	Wild Creek (HQ-CWF, MF) UNT to Belteville Lake (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450077	Pocono Organics LLC 1015 Long Pond Rd P.O. Box 145 Long Pond, PA 18334	Monroe	Tunkhannock Twp	Keiper Run (HQ-CWF, MF)
PAD450078	Mt Nebo Apt, LLC 117 Pipher Ln Stroudsburg, PA 18360	Monroe	Middle Smithfield Twp	Marshalls Creek (HQ-CWF, MF) Pond Creek (HQ-CWF, MF) EV Wetlands
PAD450038	Exeter Blakeslee Lot 100 Land LLC and Lot 110 Land LLC 101 W Elm St Ste 600 Conshohocken, PA 19428	Monroe	Tobyhanna Twp	Tobyhanna Creek (HQ-CWF, MF) Goose Run (HQ-CWF, MF)

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

Permit #	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD060029	Connie Troutman 590 Railroad Road Mohrsville, PA 19541	Berks	Centre Township	Irish Creek (WWF, MF) EV Wetlands

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

Permit No.	Applicant & Address	County	Municipality	Stream Name
PAD650018	11040 Holdings, Inc. 11040 Parker Drive Irwin, PA 15642	Westmoreland County	North Huntingdon Township	Stewartsville Road Run (HQ-TSF)
PAD650019	Peoples Natural Gas, LLC 195 Donohoe Road Greensburg, PA 15601	Westmoreland County	Unity Township	Indian Camp Run (HQ-CWF)

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

PAG-12 CAFOs

CAFO Notices of Intent Received.

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

NPDES Permit No. PAG123883, CAFO, **Wenger Jason**, 5376 Elizabethtown Road, Manheim, PA 17545.

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

Description of size and scope of proposed operation/activity: Dairy (Cows, Heifers, Calves), Swine (Wean—Finish): 529.39 AEUs.

The receiving stream, Brubaker Run, is in watershed 7-G and classified for: Migratory Fishes and Trout Stocking.

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

MS4 PAG-13 Notices of Intent Received.

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

NPDES Permit No.	Applicant Name & Address	Municipality, County	Waiver Application Submitted (Y/N)	Pollutant Reduction Plan Submitted (Y/N)
PAG138314	Wheatland Borough Mercer County P.O. Box 366 Wheatland, PA 16161-0366	Wheatland Borough Mercer County	Y	N

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

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Lavon Zimmerman 11653 William Penn Hwy Thompsontown, PA 17094	Juniata	61.7	386.53	Swine	NA	New
Casey S. Carowick 16946 Beavertown Road Todd, PA 16685	Huntingdon	338.6	766.08	Finishing Swine and Beef	N/A	New
Noah W Kreider & Sons LLP 301 Longview Drive Middletown, PA 17050	Dauphin	440	7,080.70	Poultry- Layers	NA	Renewal

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

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

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

SAFE DRINKING WATER

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

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

Permit No. 5019501, Public Water Supply.

Applicant **The Love Shack**
 Municipality Carroll Township
 County **Perry**
 Responsible Official Rick Fetrow, Owner
 4900 Spring Road
 Shermansdale, PA 17090
 Type of Facility Public Water Supply
 Consulting Engineer Sean Sweeney, P.E.
 Barton & Loguidice
 3901 Hartzdale Drive
 Camp Hill, PA 17011
 Application Received: 1/9/2019
 Description of Action Installation of iron and manganese removal treatment, and sodium hypochlorite addition.

Permit No. 2919501, Public Water Supply.

Applicant **Keller's Country Store**
 Municipality Dublin Township
 County **Fulton**
 Responsible Official Andrew Keller, Owner
 888 Waterfall Road
 Hustontown, PA 17229
 Type of Facility Public Water Supply
 Consulting Engineer Angelo A. Tesoriero, P.E.
 GeoSource Engineers
 7 Winter Drive
 Dillsburg, PA 17019-9550
 Application Received: 1/16/2019
 Description of Action Installation of softening, manganese greens and filters, sodium hypochlorite feed and contact tanks.

Permit No. 5019502, Public Water Supply.
 Applicant **West Perry School District**
 Municipality Spring Township
 County **Perry**
 Responsible Official Ed Burns, Interim
 Superintendent of Schools
 2606 Shermans Valley Road
 Elliptsburg, PA 17024
 Type of Facility Public Water Supply
 Consulting Engineer John Gunning, P.E.
 McClure Company Inc
 4101 North Sixth Street
 Harrisburg, PA 17110-1610
 Application Received: 1/30/2019
 Description of Action Replacement of well pumps and
 installation of softening and
 chlorine contact tanks.

Permit No. 6719503, Public Water Supply.
 Applicant **Miller Group Holdings LP**
 Municipality Newberry Township
 County **York**
 Responsible Official Dan McMahon, Project Manager
 950 East Main Street
 Suite 107
 Schuylkill Haven, PA 17972
 Type of Facility Public Water Supply
 Consulting Engineer Sean Sweeney, P.E.
 Barton & Loguidice
 3901 Hartzdale Drive
 Camp Hill, PA 17011
 Application Received: 2/19/2019
 Description of Action Installation of iron and
 manganese removal treatment.

Permit No. 3119502 MA, Minor Amendment, Public
 Water Supply.
 Applicant **SCI Hungtindon Department
 of Corrections**
 Municipality Smithfield Township
 County **Huntingdon**
 Responsible Official Kevin Kauffman, Superintendent
 1100 Pike Street
 Huntingdon, PA 16645
 Type of Facility Public Water Supply
 Consulting Engineer Carol A. Piontkowski, P.E.
 Department of Corrections,
 Bureau of Operations
 1920 Technology Parkway
 Camp Hill, PA 17001
 Application Received: 2/19/2019
 Description of Action Replacement of three (3) existing
 turbidimeters with three (3) new
 Hach TU5300 turbidimeters.

Permit No. 6719504, Minor Amendment, Public
 Water Supply.
 Applicant **Codorus Church of the
 Brethren**
 Municipality Springfield Township

County **York**
 Responsible Official Thomas R. Brant, Chair of
 Property Team
 1129 Dunkard Valley Road
 Dallastown, PA 17313
 Type of Facility Public Water Supply
 Consulting Engineer Charles A. Kehew II, P.E.
 James R. Holley & Associates,
 Inc.
 18 South George Street
 York, PA 17401
 Application Received: 3/6/2019
 Description of Action Addition of nitrate removal
 treatment, softening, and pH
 stabilization.

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

Permit No. 6519506, Public Water Supply.
 Applicant **Municipal Authority of
 Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Township or Borough] North Huntingdon Township
 Responsible Official John Ashton, Assistant Manager
 Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672
 Type of Facility Water system
 Consulting Engineer Gibson-Thomas Engineering Co.,
 Inc.
 1004 Ligonier Street
 Box 853
 Latrobe, PA 15650
 Application Received Date March 6, 2019
 Description of Action Installation of chlorine and
 ammonia feed systems at the
 Mockingbird tank site.

Permit No. 6519505, Public Water Supply.
 Applicant **Municipal Authority of
 Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672
 [Township or Borough] Forward Township and
 Hempfield Township
 Responsible Official John Ashton, Assistant Manager
 Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672
 Type of Facility Water system
 Consulting Engineer Gibson-Thomas Engineering Co.,
 Inc.
 1004 Ligonier Street
 Box 853
 Latrobe, PA 15650
 Application Received Date March 6, 2019

Description of Action Installation of chlorine and ammonia feed systems at the West Pointe tank site & the Forward # 1 and # 2 tank sites.

Permit No. 1119501, Public Water Supply.

Applicant **Nanty Glo Water Authority**
1015 First Street
Suite 1
Nanty Glo, PA 15943

[Township or Borough] Cambria Township

Responsible Official Harry Gearhart, Chairman
Nanty Glo Water Authority
1015 First Street
Suite 1
Nanty Glo, PA 15943

Type of Facility Water system

Consulting Engineer Stiffler McGraw and Associates, Inc.
1731 North Juniata Street
Hollidaysburg, PA 16648

Application Received Date March 15, 2019

Description of Action Installation of a chemical feed system for algicide and a polymer feed system.

Permit No. 0219509, Public Water Supply.

Applicant **Pennsylvania American Water Company**
852 Wesley Drive
Mechanicsburg, PA 17055

[Township or Borough] Burgettstown Borough

Responsible Official David Kaufman, Vice President
Engineering
Pennsylvania American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055

Type of Facility Water system

Consulting Engineer Pennsylvania American Water Company
300 Galley Road
McMurray, PA 15317

Application Received Date March 11, 2019

Description of Action Installation of the Paris-Florence booster pump station.

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

Permit No. 3719501, Public Water Supply.

Applicant **Hickory Run Energy LLC**

Township or Borough North Beaver Township

County **Lawrence**

Responsible Official Matthew DeSorbo

Type of Facility Public Water Supply

Consulting Engineer Andrew Fazel
Hickory Run Energy
9401 Renner Boulevard
Lenexa, KS 66219

Application Received Date March 6, 2019

Description of Action Provide a potable water supply for administrative building.

Central Office: Bureau Director, Bureau of Safe Drinking Water, P.O. Box 8467, Harrisburg, PA 17105-8467.

Permit No. 9996620, Public Water Supply.

Applicant **Niagara Bottling, LLC**

[Township or Borough] Plainfield, Indiana

Responsible Official Tiffany Moseley, Director of Compliance and Regulatory Affairs

Type of Facility Out of State Bottled Water System

Application Received Date March 14, 2019

Description of Action Applicant requesting Department approval to sell bottled water products in Pennsylvania under the product names: Purified Water, Distilled Water, Purified Drinking Water, and Natural Spring Water.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act.

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

Application No. 3019501MA, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**
1442 Jefferson Road
Jefferson, PA 15344

[Township or Borough] Amwell Township

Responsible Official Timothy Faddis, Manager
Southwestern Pennsylvania Water Authority
1442 Jefferson Road
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date March 6, 2019

Description of Action Construction of the Amity Ridge Road vault.

Application No. 3013501WMP21, Minor Amendment.

Applicant **Southwestern Pennsylvania Water Authority**
1442 Jefferson Road
Jefferson, PA 15344

[Township or Borough] Amwell Township

Responsible Official Timothy Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date March 6, 2019

Description of Action Bulk-load out site at the
proposed Amity Ridge Road
vault.

Application No. 3019502MA, Minor Amendment.

Applicant **Southwestern Pennsylvania
Water Authority**
1442 Jefferson Road
Jefferson, PA 15344

[Township or Borough] Jefferson Township

Responsible Official Timothy Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date March 15, 2019

Description of Action Construction of the East Greene
North vault.

Application No. 3013501WMP22, Minor Amendment.

Applicant **Southwestern Pennsylvania
Water Authority**
1442 Jefferson Road
Jefferson, PA 15344

[Township or Borough] Jefferson Township

Responsible Official Timothy Faddis, Manager
Southwestern Pennsylvania
Water Authority
1442 Jefferson Road
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
Suite 200
Cheswick, PA 15024

Application Received Date March 15, 2019

Description of Action Bulk-load out site at the
proposed East Greene North
vault.

Permit No. 0219508MA, Minor Amendment.

Applicant **Pennsylvania American
Water Company**
852 Wesley Drive
Mechanicsburg, PA 17055

[Township or Borough] Burgettstown Borough

Responsible Official David Kaufman, Vice President
Engineering
Pennsylvania American Water
Company
852 Wesley Drive
Mechanicsburg, PA 17055

Type of Facility Water system

Consulting Engineer Pennsylvania American Water
Company
300 Galley Road
McMurray, PA 15317

Application Received Date March 11, 2019

Description of Action Installation of approximately
5,000 feet of 12-inch diameter
transmission main
(Paris-Florence transmission
main project).

**LAND RECYCLING AND
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995
PREAMBLE 1**

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

Sections 302—305 of the Land Recycling and 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:

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

Kline Building and Service Station, 107-111 Hamilton Street and 14-28 North Front Street, Allentown City, **Lehigh County**. HDR Engineering, 1720 Spillman Drive, Bethlehem, PA 18015, on behalf of Allentown Commercial and Industrial Development Authority (ACIDA), 905 Harrison Street, Allentown, PA 18103, submitted a Notice of Intent to Remediate. Soil at this site was contaminated with metals, volatile organic compounds, and semi-volatile organic compounds from historic use at this former warehouse and gas station. Future use of the site will be residential and non-residential. Site-Specific remediation standards are planned for this site. The Notice of Intent to Remediate was published in *The Morning Call* on March 7, 2019.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 301005. Harbison Walker International, Inc., 1305 Cherrington Parkway, Suite 100, Moon Township, PA 15108-4355, Moon Township, **Clearfield County**. Minor Modification for the cessation of ground water well monitoring and groundwater monitoring well abandonment. The application was received by the Northcentral Regional office on March 7, 2019.

Comments concerning the application should be directed to Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the permit application may con-

tact the Williamsport Regional Office, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

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

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

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

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

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

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

ters 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.

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

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

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

Source	Pollutant	Potential emissions
Extrusion Operations	VOC	Less than 1.0 TPY
Injection Molding (IM) Operations	VOC	0.03 TPY
Mold Shop Operations	PM	Less than 0.04 gr/dscf
Boilers	NO _x	9.02 TPY
Boilers	CO	15.15 TPY
Boilers	VOC	0.99 TPY
Cooling Towers	PM/PM ₁₀ /PM _{2.5}	1.14 TPY

The following emission limitations are set for each new boiler.

- NO_x emissions — From BAT, 30 PPM at 3% O₂ when firing with natural gas.
- CO emission— From BAT, 300 PPM at 3% O₂.

The cooling towers will be equipped with drift eliminators to minimize drift loss. The drift eliminators for the cooling towers will be designed to have a drift rate efficiency of 0.005%. Each boiler is subject to and comply with 40 CFR Part 60, Subpart Dc requirements. Fire engine is subject to and comply with 40 CFR Part 60, Subpart IIII & 40 CFR Part 63, Subpart ZZZZ requirements. EGen engine is subject to and comply with 40 CFR Part 60, Subpart JJJJ & 40 CFR Part 63, Subpart ZZZZ requirements. Facility is not subject to PSD and or NNSR requirements.

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

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. 39-

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b) that the Department of Environmental Protection (DEP) intends to issue **Plan Approval # 39-00055A to B Braun Medical, Inc.**, 901 Marcon Blvd., Allentown, PA 18109 for their facility in Hanover Township, **Lehigh County**. This plan approval will be incorporated into the Title V operating permit # 39-00055 through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan approval # 39-00055A is to increase manufacturing operations at the facility. The company will construct a new building at the current site that will include various operations such as extrusion lines, forty (40) Injection Molding Machines, Mold Shop, emergency fire pump, emergency generator (EGen), two (2) boilers -21.0 MMBtu/hr each firing natural gas as a fuel using a forced draft low NO_x burner with internal flue gas recirculation, & three (3) cooling towers.

Following potential emissions are expected from the proposed sources.

00055A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

07-03067A: McLanahan Corp. (200 Wall Street, Hollidaysburg, PA 16648) for rubber coating and miscellaneous surface coating activities at the 900 Beaver Street Plant in Hollidaysburg Borough, **Blair County**. The primary emissions are VOCs. The estimated emissions from the source based on 2,080 hours operation are 16.34

tpy of VOC including 3.81 tpy of HAPs, 1.38 tpy of thinner # 2 Carboline and 10.22 tpy of ethyl acetate. Review by DEP of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, DEP proposes to issue a plan approval for the proposed source constructions and coatings applications. If, after the project has been implemented, DEP 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 a State Only Operating Permit pursuant to the provisions of 25 Pa. Code Chapter 127.

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

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

20-318A: Crawford Advanced Materials, LLC (Keystone Regional Industrial Park, Greenwood Township, PA 16335 and mailing address of 2930 W 22nd Street, Erie, PA 16506), for the proposed construction of a biomass to synthetic fuel plant in Greenwood Township, **Crawford County**. This is a State Only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into the State Only operating permit at a later date.

Plan approval No 20-318A is for the proposed construction of a biomass to synthetic fuel plant. This Plan Approval will contain emission restriction, testing, recordkeeping, work practice standard and additional requirement conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology (BAT) for the source including, but are not limited to, the following:

- All Sources:
 - Emissions shall comply with 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor, and visible emissions respectively.
 - The permittee shall maintain and operate the source and control device (if applicable) in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.
- Source 101A (Wood Chipper):
 - Emissions shall not exceed the following:
 - PM: 1.56 #/hr (filterable)
 - PM: 6.84 tpy (filterable) based on a 12-month rolling total
- Source 102 (Raw Material Dryer # 1) and Source 106 (CHyP Units 1—16) and Source 115 (Wood Vinegar Stripping or Sparging):
 - Emissions shall not exceed the following:
 - VOC: 0.085 #/hr
 - VOC: 0.373 tpy based on a 12-month rolling total
 - Formaldehyde: 0.000003 #/hr
- Source 103 (Raw Material Dryer # 2) and Source 104 (Raw Material Dryer # 3) and Source 107 (CHyP Units 17—32) and Source 108 (CHyP Units 33—48):
 - Emissions shall not exceed the following:
 - VOC: 0.080 #/hr
 - VOC: 0.349 tpy based on a 12-month rolling total
 - Formaldehyde: 0.000003 #/hr
 - Formaldehyde: 0.00012 tpy based on a 12-month rolling total
 - Methyl Alcohol: 0.000942 #/hr
 - Methyl Alcohol: 0.004 tpy based on a 12-month rolling total
 - PM: 0.064 #/hr (both filterable and condensable)
 - PM: 0.28 tpy (both filterable and condensable) based on a 12-month rolling total
 - NO_x: 1.02 #/hr
 - NO_x: 4.47 tpy based on a 12-month rolling total
 - CO: 2.76 #/hr
 - CO: 12.08 tpy based on a 12-month rolling total
 - SO_x: 3.02 #/hr
 - SO_x: 13.23 tpy based on a 12-month rolling total
- Source 102 (Raw Material Dryer # 1) and Source 103 (Raw Material Dryer # 2) and Source 104 (Raw Material Dryer # 3) and Source 106 (CHyP Units 1—16) and Source 107 (CHyP Units 17—32) and Source 108 (CHyP Units 33—48) and Source 115 (Wood Vinegar Stripping or Sparging):
 - Stack test for VOC, NO_x and CO initially and at operating permit renewal.
 - The permittee shall record the following operational data from the control device (these records may be done with strip charts recorders, data acquisition systems, or manual log entries):
 - Completion of the operational inspection—daily defined as once per calendar day
 - Preventative maintenance inspection—monthly defined as once per calendar month
 - Combustion temperature—continuously defined as once per 15 minutes
 - The permittee shall perform a daily operational inspection of the control device.

- The permittee shall adhere to the approved indicator range for the control device so that operation within the range shall provide reasonable assurance of compliance. A departure from the specified indicator range over a specified averaging period shall be defined as an excursion. The approved indicator range for the following shall be determined during the initial performance test or any subsequently approved performance tests unless otherwise stated:
 - Combustion temperature: minimum of 1,400F averaged over a one-hour period or as established during compliant testing.
 - The permittee, with prior Departmental approval, may conduct additional performance tests to determine a new minimum combustion temperature. Within 24-hours of discovery of a reading outside of the prescribed range the permittee shall perform a maintenance inspection on the control device and take corrective action. Records of all maintenance inspections on the control device, and corrective actions taken, shall be maintained on site for a minimum period of five years. In the event of more than one documented excursion outside the prescribed range in any calendar quarter the permittee shall submit a corrective measure plan to the Department. Corrective measures may include an increase of the frequency of required preventative maintenance inspections of the control device, a modification of the prescribed range, or other appropriate action as approved by the Department. Upon receipt of a corrective measure plan the Department shall determine the appropriate corrective measure on a case-by case basis.
- Source 105 (Crumbling/Wood Grinder Operations) and Source 105A (Wet Screening) and Source 105B (Dry Screening):
 - Emissions shall not exceed the following:
 - PM: 0.429 #/hr (both filterable and condensable)
 - PM: 1.88 tpy (both filterable and condensable) based on a 12-month rolling total
 - PM₁₀: 0.429 #/hr
 - PM₁₀: 1.88 tpy based on a 12-month rolling total
 - PM_{2.5}: 0.429 #/hr
 - PM_{2.5}: 1.88 tpy based on a 12-month rolling total
- Source 109 (Emergency Generator):
 - The emissions shall not exceed the following:
 - If lean burn:
 - NO_x: 0.50 g/bhp-hr
 - CO: 0.25 g/bhp-hr
 - NMNEHC (as propane) excluding HCHO: 0.25 g/bhp-hr
 - HCHO: 0.05 g/bhp-hr
 - If rich burn:
 - NO_x: 0.20 g/bhp-hr
 - CO: 0.30 g/bhp-hr
 - NMNEHC (as propane) excluding HCHO: 0.20 g/bhp-hr
 - HCHO: 2.7 ppmvd at 15% O₂ or 76% reduction
 - Subject to 40 CFR 60 Subpart JJJJ
 - Subject to 40 CFR 63 Subpart ZZZZ
- Source 112 (Biochar Handling & Bagging):
 - Emissions shall not exceed the following:
 - PM: 0.214 #/hr (both filterable and condensable)
 - PM: 0.94 tpy (both filterable and condensable) based on a 12-month rolling total
 - PM₁₀: 0.214 #/hr
 - PM₁₀: 0.94 tpy based on a 12-month rolling total
 - PM_{2.5}: 0.214 #/hr
 - PM_{2.5}: 0.94 tpy based on a 12-month rolling total
- Source 105 (Crumbling/Wood Grinder Operations) and Source 105A (Wet Screening) and Source 105B (Dry Screening) and Source 112 (Biochar Handling & Bagging):
 - No person may permit the emission into the outdoor atmosphere of particulate matter in a manner that the concentration of total particulate matter (both filterable and condensable) in the effluent gas exceeds 0.005 grain per dry standard cubic foot.
 - Stack test for total particulate matter (both filterable and condensable) initially and at operating permit renewal.
 - The permittee shall record the following operational data from the control device (these records may be done with strip charts recorders, data acquisition systems, or manual log entries):
 - Pressure differential—daily defined as once per calendar day
 - Visible emission check—daily defined as once per calendar day
 - The permittee shall perform a daily operational inspection of the control device. As part of this operational inspection the facility shall monitor the pressure drop across the baghouse and shall conduct a visible emission (VE) observation of the baghouse stack. The VE observation shall be 60 seconds in length with reading every 15 seconds. If any visible emissions are observed, the facility shall perform one of the following:
 - A Method 9 observation using a certified observer (60 minutes in duration) shall be conducted, within 4 hours of any visible emissions being observed, to determine compliance with the opacity limitations.
 - The facility shall immediately commence shutdown of the source/control device in accordance with the Department approved shutdown procedure.
 - The permittee shall adhere to the approved indicator range for the control device so that operation within the range shall provide reasonable assurance of compliance. A departure from the specified indicator range over a specified averaging period shall be defined as an excursion. The approved indicator range for the following shall be determined during the initial performance test or any subsequently approved performance tests unless otherwise stated:
 - Pressure drop: 2.0 to 6.0 inches water gage or as established during compliant testing
 - Opacity less than or equal to 10%
 - The permittee, with prior Departmental approval, may conduct additional performance tests to determine a new pressure drop range. Within 24-hours of discovery of a reading outside of the prescribed range the permittee shall perform a maintenance

inspection on the control device and take corrective action. Records of all maintenance inspections on the control device, and corrective actions taken, shall be maintained on site for a minimum period of five years. In the event of more than one documented excursion outside the prescribed range in any calendar quarter the permittee shall submit a corrective measure plan to the Department. Corrective measures may include an increase of the frequency of required preventative maintenance inspections of the control device, a modification of the prescribed range, or other appropriate action as approved by the Department. Upon receipt of a corrective measure plan the Department shall determine the appropriate corrective measure on a case-by case basis.

- Source 102 (Raw Material Dryer # 1) and Source 103 (Raw Material Dryer # 2) and Source 104 (Raw Material Dryer # 3) and Source 105 (Crumbing/Wood Grinder Operations) and Source 105A (Wet Screening) and Source 105B (Dry Screening) and Source 106 (CHyP Units 1—16) and Source 107 (CHyP Units 17—32) and Source 108 (CHyP Units 33—48) and Source 112 (Biochar Handling & Bagging) and Source 115 (Wood Vinegar Stripping or Sparging):
 - All recordkeeping shall commence upon startup of the source/control device. All records shall be kept for a period of five (5) years and shall be made available to the Department upon request.
 - The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall include, at a minimum, the dates of the inspections, the name of the person performing the inspection, any problems or defects identified, any actions taken to correct the problems or defects, and any routine maintenance performed.
 - The permittee shall perform a monthly preventative maintenance inspection of the control device.
 - A magnehelic gauge or equivalent shall be maintained and operated to monitor the pressure differential across the control device. All gauges employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (+/- 2%) of full scale reading.
 - The permittee shall operate the control device at all times that the source is in operation.

In accordance with 25 Pa. Code § 127.44(f)(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 at (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(f)(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 ap-

proval [20-318A] 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 Regional Air Quality Program Manager, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6940.

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 Air Quality Program Manager.

If a plan approval has not undergone the previously listed public notice process, the change to an operating permit must be treated as a significant modification. In these situations, the Department should follow the procedures described in §§ 127.421 to 127.431 for State only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

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

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

AMS Plan Approval No. IP19-000013: SugarHouse Casino (1001 North Delaware Avenue, Philadelphia, PA 19125) for the installation of one 905 kilowatt diesel-fired emergency generator, two (2) 1.5 MMBtu/hr natural gas-fired boilers, and twenty (20) assorted roof top units, energy recovery units, and makeup air units rated totaling 13.623 MMBtu/hr firing natural gas at their facility in the City of Philadelphia, **Philadelphia County**. Nitrogen Oxides (NO_x) have a potential emissions of 17.89 tons per year. Carbon Monoxide (CO) has a potential emissions of 11.95 tons per year. The plan approval will contain operating, monitoring, and recordkeeping requirements to ensure operation within all applicable requirements.

Copies of all documents and information concerning this permit are available for review in the offices of Air Management Services, 321 University Ave., Philadelphia, PA 19104-4543 during normal business hours. Persons wishing to review these documents should contact Debra Williams (215-685-7572) at the previously listed address.

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

OP18-000045: Comcast Technology Center (1800 Arch Street, Philadelphia, PA 19103) for the operation of a real estate investment trust in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include four (4) emergency generators firing diesel fuel

each rated 1,500 kW or less and three (3) fire pumps firing diesel fuel rated 488 hp or less.

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

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

OPERATING PERMITS

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

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

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

28-05012: Volvo Construction Equipment North America LLC (312 Volvo Way, Shippensburg, PA 17257-9209) for the renewal of the facility's Title V operating permit, and the approval of a Reasonably Available Control Technology 2 (RACT 2) plan for the Source 199 cleanup/miscellaneous solvent operations at the construction equipment manufacturing facility located in Shippensburg Borough, **Franklin County**, as part of the Title V operating permit renewal.

The facility 2018 actual air emissions were 1.08 ton of CO, 1.44 ton of NO_x, 0.23 ton of PM₁₀, 0.02 ton of SO_x, 16.07 tons of VOC, and 0.55 ton of total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other requirements in the permit, certain sources at the facility are subject to the requirements of 40 CFR Part 63, Subpart XXXXXX—National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories. Source IDs 305 and 307 are subject to the requirements of 40 CFR Part 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. Source IDs 301, 306, and 308 are subject to the requirements of 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

Also, in accordance with 25 Pa. Code §§ 129.91–129.100, the Department of Environmental Protection has made a preliminary determination to approve a RACT 2 plan for the previously-mentioned facility.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and require-

ments contained in the RACT 2 approval, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed RACT 2 plan will be issued as part of the renewal of the facility's Title V operating permit (28-05012). The relevant RACT 2 requirements will also be submitted to the U.S. Environmental Protection Agency (EPA) for approval and incorporation into Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT 2 approvals will be excluded from the SIP submittal.

The proposed RACT 2 requirement for the facility that will be submitted to the EPA as part of the SIP, is that Source 199 shall comply with the work practice requirements for cleaning materials found at 25 Pa. Code § 129.52d(j).

Public Comment Details:

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

Public hearing. A public hearing will be held on April 30, 2019, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed permit action and the proposed SIP revision. To register to speak at the hearing, contact Dawne Wilkes at 717-705-4702. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be April 23, 2019.

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

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110. Appointments for scheduling a review may be made by calling Dawne Wilkes at 717-705-4702.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Dawne Wilkes at 717-705-4702 or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

36-05142: Mars Chocolate North America LLC (295 South Brown Street, Elizabethtown, PA 17022) for approval of a Reasonably Available Control Technology 2 (RACT 2) plan for sources at the chocolate manufacturing facility located in Elizabethtown Borough, **Lancaster County**, as a significant modification to the facility's Title V operating permit.

The significant permit modification will also include an Air Quality Emission Reduction Credit (ERC) approval of Creditable Emission Decreases or ERCs that are approved for the shutdown of the Cocoa Bean Micronizer and the Cocoa Bean Roasting System (Sources 301 and 303) at the facility, which total 19.13 tpy of VOCs and 0.428 tpy of NO_x. In accordance with 25 Pa. Code § 127.206(f), the generated ERCs for the shutdown of the Cocoa Bean Roasting System and Micronizer will expire as offsets on August 12, 2027. The significant permit modification will also address the removal of Sources 301 and 303, and the removal of CAM applicability for Source 203.

In accordance with 25 Pa. Code §§ 129.91–129.100, the Department of Environmental Protection has made a preliminary determination to approve a RACT 2 plan for the previously-mentioned facility.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the RACT 2 approval, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed RACT 2 plan will be issued as a significant modification to the facility's Title V operating permit (36-05142). The relevant RACT 2 requirements will also be submitted to the U.S. Environmental Protection Agency (EPA) for approval and incorporation into Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT 2 approvals will be excluded from the SIP submittal.

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

RACT 2 Case-by-Case Requirements [25 Pa. Code § 129.99]:

(a) For Source 600, the permittee shall operate and maintain the source and control device such that either the scrubber achieves a minimum of 80.0% destruction efficiency for VOC, reported as propane, or the emission rate coming from the scrubber is less than 5.74 lbs/hr of VOCs.

(b) For each of sources 402, 502, 504 and 600, the permittee shall maintain an O&M Plan, as well as records of any maintenance or modifications performed on the source. The permittee shall maintain written documentation of the current O&M Plan for each source and any maintenance or modifications performed on each source for five years. The records shall be made available to the Department upon written request pursuant to 25 Pa. Code § 129.100(d) and (i).

(c) The permittee shall operate the Control C502A [Jetzone # 2 Roaster Scrubber Zone # 1 (A101)] and C502B: [Jetzone # 2 Roaster Scrubber Zone # 1 (A101)] at all times when either of Sources 502 or 504 are operating.

(d) The permittee shall operate the Control C600 [Roaster Wet Scrubber] at all times when Source 600 is operating.

(e) The permittee shall operate and maintain instrumentation to monitor the pressure drop and the water flow rate to the scrubbers C502A, C502B and C600.

(f) By no later than 3/31/20, the permittee shall conduct stack testing on Sources 402, 502, 504 and 600 to determine emission factors that may be used for emission inventory purposes, and to re-verify compliance with the

emission limits in a.) previously listed. The requirement for further testing will be determined by the Department after review of the test results.

(g) The permittee shall keep the following records, which shall be maintained for a minimum of five (5) years, and shall be made available to the Department upon request.

(1) a daily record of the pressure drop across and the water flow rate to the scrubbers C502A, C502B and C600.

(2) monthly throughput of cocoa beans.

(3) the VOC emissions for each month and each consecutive 12-month period.

Public Comment Details:

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

Public hearing. A public hearing will be held on April 30, 2019, at 10:00 a.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110, to accept oral comments on the proposed permit action and the proposed SIP revision. To register to speak at the hearing, contact Dawne Wilkes at 717-705-4702. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be April 23, 2019.

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

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110. Appointments for scheduling a review may be made by calling Dawne Wilkes at 717-705-4702.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Dawne Wilkes at 717-705-4702 or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

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

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

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

23-00091: Union Packaging LLC (6250 Baltimore Avenue, Yeadon, PA 19050) located in Yeadon Borough, **Delaware County**, for operation of rotogravure and flexographic presses. This action is a third renewal of the State Only Operating Permit (Natural Minor), which was first issued on 3/18/2004 and was subsequently renewed on 4/22/2009 and again on 4/8/2014. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

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

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

39-00092: Hale Trailer Brake & Wheel, Inc. (Rt. 73 and Cooper Road; P.O. Box 1400, Voorhees, NJ 08043). The Department intends to issue a renewal State-Only Natural Minor Permit for the Hale Trailer located in Upper Macungie Township, **Lehigh County**. This facility operates a spray paint booth with drying oven. The source is considered a minor emission source of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00124: Graphic Packaging International, LLC (20 Commerce Road, Pittston, PA 18640). The Department intends to issue a renewal State-Only Natural Minor Permit for GPI, located in Pittston Township, **Luzerne County**. Operations at this facility include flexographic printing and forming of paper cups used in the food and beverage industry. The facility also manufactures polystyrene plastic lids for paper cups through an extrusion and thermal forming process. Other operations include paper and cardboard trimming/baling, storage of raw materials, print roller image setting, flexographic paint drying, and warehousing. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

21-05056: Fry Communications, Inc., Building 4 (101 Fry Drive, Mechanicsburg, PA 17050) for the operation of a publication printing facility in Silver Spring Township, **Cumberland County**. This is for renewal of the existing State-only permit. The subject facility has the potential-to-emit 4.7 tpy of CO, 5.6 tpy of NO_x, less than 50 tpy of VOC (synthetic minor limit), and less than 1 tpy each of SO_x and PM. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

67-05099: Kinsley Construction, Inc. (1110 East Princess Street, York, PA 17403) for operation of the steel fabrication facility in York City, **York County**. This is for renewal of the existing State-only permit. The actual 2018 emissions were 8.27 tons of VOC and 1.44 ton of total HAP. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

05-05024: JLG Industries, Inc. (1 JLG Drive, McConnellsburg, PA 17233-9502), to issue a State only operating permit renewal for the Weber Lane facility located in Bedford Township, **Bedford County**. This is for renewal of the existing state-only permit. The primary emissions from the facility are VOC from the surface coating. The facility's actual 2017 emissions are 13.6 tons of VOC, 1.3 tons of NO_x, 0.8 ton CO, 0.2 ton PM₁₀, and 0.9 ton HAP. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping, and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the permit conditions include provisions derived from 40 CFR Part 63 as follows: Surface coating and stripping subject to Subpart HHHHHH; emergency generator Subpart ZZZZ; and gasoline dispensing Subpart CCCCCC.

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

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

20-00123: Lord Corporation Cambridge Springs (124 Grant St, Cambridge Springs, PA 16403-1014). The Department is providing notice that they intend to renew a State Only Synthetic Minor Operating Permit for operation of the manufacturing facility located in Cambridge Springs Borough, **Crawford County**. The primary operations at the facility include surface preparation of metal components, application of adhesives, and bonding of the metal components with the rubber materials. Additionally, there are various natural gas-fired boilers and heaters for comfort heat, hot water, and process heating, finishing processes, an emergency fire pump, and an emergency generator. The potential emissions of the primary pollutants from the facility after permit limitations are as follows: 15.80 TPY (tons per year) NO_x, 11.54 TPY CO, 49.9 TPY VOC, 24.9 TPY total HAPs, 9.9 TPY individual HAPs, 3.97 TPY filterable PM₁₀ and PM_{2.5}, and 0.08 TPY SO_x; thus, the facility is a synthetic minor. The facility was previously a Title V facility but has elected to restrict the facility's potential VOC and HAP emissions below Title V thresholds. The newer boiler is subject to 40 CFR 60 Subpart Dc, Standards of Performance for Small Steam Generating Units. Surface coating processes that utilize chromium-containing material are subject to 40 CFR 63 Subpart HHHHHH, NESHAP for Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources. Non-adhesive surface coating processes are subject to facility-wide emission limits to qualify for exemption from 25 Pa. Code §§ 129.52 and 129.52d. The new walk-in spray booth and drying/staging oven permitted under Plan Approval 20-123F are subject to 25 Pa. Code § 129.77, control of emissions from the use or application of adhesives, sealants, primers, and solvents recordkeeping requirements due to the noncompliance of the surface coatings used. The emergency generator is subject to 40 CFR 60 Subpart JJJJJ, Standards of Performance for Stationary Spark Ignition Internal Com-

bustion Engines. The emergency fire pump is subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The renewal permit will contain emission restrictions, recordkeeping, work practices, 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 (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. These actions may include the administrative amendments of an associated operating permit.

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

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

54-00091A: Blue Mountain Enterprises LLC, (1246 Deturksville Road, Pine Grove, PA 17963) for their Blue Mountain Enterprises LLC facility located in Wayne Twp, Schuylkill 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 Blue Mountain Enterprises LLC, (1246 Deturksville Road, Pine Grove, PA 17963) for their Blue Mountain Enterprises LLC facility located in Wayne Twp, Schuylkill County. This Plan Approval No. 54-00091A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 54-00091A is for a log shaving operation. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions and 25 Pa. Code § 127.1 and § 127.12 for particulate matter. 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 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 54-00091A 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.

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

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

Permit No. 54190202. Rausch Creek Fuel, LLC, (978 Gap Street, Valley View, PA 17981), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Tremont Township, **Schuylkill County** affecting 15.8 acres, receiving stream: Swatara

Creek. Application received: November 21, 2018. Application returned. March 14, 2019.

Coal Applications Received

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

03870701 and NPDES No. PA0214558. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Coal Refuse Disposal No. 2 in Plumcreek Township, **Armstrong County** and related NPDES permit. No additional charges. The application was considered administratively complete on March 11, 2019. Application received: February 1, 2019.

03981301 and NPDES No. PA0215198. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Parkwood Mine in Plumcreek and South Bend Townships, **Armstrong County** and **Indiana County** and related NPDES permit. No additional discharges. The application was considered administratively complete on March 15, 2019. Application received December 24, 2018.

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

Permit No. 32130101 and NPDES No. PA0269271, KMP Associates, Inc., 3756 State Route 981, Saltsburg, PA 15681, commencement, operation and restoration of a

bituminous surface & auger mine to change the land use from forestland to unmanaged natural habitat in Conemaugh and Young Townships, **Indiana County**, affecting 37 acres. Receiving stream: unnamed tributaries to/and Big Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 11, 2019.

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

03910115 and NPDES Permit No. PA0200174. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Renewal application for continued mining and a revision application for relocation of sedimentation ponds and redesigning of collection ditches to an existing bituminous surface mine, located in West Franklin Township, **Armstrong County**, affecting 468.8 acres. Receiving streams: Buffalo Creek, classified for the following use: HQ-TSF. Creekside Mushroom, Ltd. is the potable water supply intake within 10 miles downstream from the point of discharge. Applications received: March 13, 2019.

Noncoal Applications Received

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

Table 2

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
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. 50190801. 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. Application received: March 7, 2019.

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

37160301 and NPDES No. PA0280682. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Commencement, operation and restoration of an industrial mineral mine in Slippery Rock Township, **Lawrence County** affecting 601.5 acres. Receiving streams: Slippery Rock Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Camp Allegheny. Application received: March 1, 2019.

1270-37160301-E-1. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Application for a stream encroachment to construct a haul road over Unnamed Tributary No. 1 to Slippery Rock Creek and for wetland mitigation activities to take place within 100 feet of the stream in Slippery Rock Township, **Lawrence County**. Receiving streams: Slippery Rock Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Camp Allegheny. Application also includes a request for a Section 401 Water Quality Certification. Application received: March 1, 2019.

1270-37160301-E-2. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Application for a stream encroachment to construct a haul road over Unnamed Tributary No. 2 to Slippery Rock Creek in Slippery Rock Township, **Lawrence County**. Receiving streams: Slippery Rock Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Camp Allegheny. Application also includes a request for a Section 401 Water Quality Certification. Application received: March 1, 2019.

1270-37160301-E-3. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Application for a stream encroachment to construct a haul road over Unnamed Tributary No. 4 to Slippery Rock Creek in Slippery Rock Township, **Lawrence County**. Receiving streams: Slippery Rock Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Camp Allegheny. Application also includes a request for a Section 401 Water Quality Certification. Application received: March 1, 2019.

1270-37160301-E-4. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Application for a stream encroachment to construct a haul road over Unnamed Tributary No. 5 to Slippery Rock Creek in Slippery Rock Township, **Lawrence County**. Receiving streams: Slippery Rock Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Camp Allegheny. Application also includes a request for a Section 401 Water Quality Certification. Application received: March 1, 2019.

1270-37160301-E-5. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Application for a stream encroachment to utilize an existing pond as Sediment Pond H within 100 feet of Unnamed Tributary No. 5 to Slippery Rock Creek in Slippery Rock Township, **Lawrence County**. Receiving streams: Slippery Rock Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Camp Allegheny. Application also includes a request for a Section 401 Water Quality Certification. Application received: March 1, 2019.

1270-37160301-E-6. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Application for a stream encroachment to utilize an existing pond as Sediment Pond F within 100 feet of Unnamed Tributary No. 8 to Slippery Rock Creek in Slippery Rock Township, **Lawrence County**. Receiving streams: Slippery Rock Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Camp Allegheny. Application also includes a request for a Section 401 Water Quality Certification. Application received: March 1, 2019.

37160301. Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201). Application for a wetlands encroachment to allow for direct impacts to 3.59 acres of emergent wetlands, 1.145 acre of scrub-shrub wetlands, and 0.035 acre of forested wetlands. As replacement for the wetland impacts, 3.59 acres of emergent wetlands, 2.29 acres of scrub-shrub wetlands, and 0.105 acre of forested wetlands will be developed according to the Module 14.4 mitigation plan. Receiving streams: Slippery Rock Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Camp Allegheny. Application also includes a request for a Section 401 Water Quality Certification. Application received: March 1, 2019.

20192801 and NPDES No. PA0280691. Meadville Redi-Mix Concrete, Inc. (P.O. Box 418, Meadville, PA 16335). Commencement, operation and restoration of a small industrial mineral mine in Summit Township, **Crawford County** affecting 7.0 acres. Receiving streams: Inlet Creek, classified for the following uses: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 6, 2019.

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 § 2a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

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

NPDES No. PA0110914 (Mining Permit No. 56841310), Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). A renewal to the NPDES and mining activity permit for the Solar No. 7 Mine in Quemahoning Township, **Somerset County**. Surface Acres Affected 32. Receiving stream: Unnamed Tributary 45413 to Higgins Run, classified for the following use CWF: Kiski-Conemaugh River Watershed TMDL. The application was considered administratively complete on January 10, 2017. Application received August 9, 2016.

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.

Outfall 001 discharges to: Unnamed Tributary 45413 to Higgins Run:

The proposed effluent limits for *Outfall 001* (Lat: 40° 08' 11" Long: -78° 58' 40") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	466	931	1,164
Total Dissolved Solids	(mg/l)	-	932	1,863	2,329
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report

The EPA waiver is not in effect.

Noncoal NPDES Draft Permits

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

NPDES No. PA021261 (Mining Permit No. 05920301), New Enterprise Stone & Lime Co., Inc., P.O. Box 77, New Enterprise, PA 16664, renewal of an NPDES permit for discharge of water resulting from limestone mining in Snake Spring Valley Township, **Bedford County**, affecting 372.2 acres. Receiving streams: Cove Creek and Raystown Branch Juniata River, classified for the following uses: Exceptional Value and Migratory Fishes and warm water fishes. Application received: February 21, 2019.

The following outfall discharges to Cove Creek:

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

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

<i>Outfalls: 001 (All Discharges) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	30.0	60.0	70.0
Temperature (°F)	72	72	72
Specific Conductance (µmhos/cm)			Report

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

The following outfall discharges to Raystown Branch Juniata River:

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

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

<i>Outfalls: 003 (dry weather discharges) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Specific Conductance (µmhos/cm)			Report

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

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

NPDES No. PA0605336 (Permit No. 3072SM3). Allegheny Mineral Corporation (P.O. Box 1022, Kittanning, PA 16201) Renewal NPDES permit for a large industrial mineral surface mine in Marion and Mercer Townships, **Butler County**, affecting 920.0 acres. Receiving streams: Unnamed tributary to McMurray Run and McMurray Run, classified for the following uses: CWF. Application received: February 25, 2019.

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

The following outfall discharges to an Unnamed tributary to McMurray Run:

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

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>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

The following outfalls discharge to an Unnamed tributary to McMurray Run and McMurray Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
AA	N
F	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
Alkalinity greater than acidity ¹				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

NPDES No. PA0259454 (Permit No. 20910303). Don & Randy Ferris, Inc. (23733 Mackey Hill Road, Cambridge Springs, PA 16403) Renewal of an existing NPDES permit for a large industrial mineral surface mine in Rockdale Township, **Crawford County**, affecting 38.2 acres. Receiving streams: Kelly Run, classified for the following uses: HQ-CWF; and unnamed tributary to Muddy Creek, classified for the following uses: HQ-TSF. TMDL: None. Application received: February 26, 2019.

There will be no discharge from this site.

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

NPDES No. PA0252034 (Surface Mine Permit No. 63100401), Neiswonger Construction, Inc., 17592 Route 322, Strattanville, PA 16258, renewed and revised NPDES permit for a non-coal surface mine located in Deemston Borough, **Washington County**, affecting 83.2 acres. Receiving stream: Ten Mile Creek, classified for the following use: TSF. Renewal application received: March 22, 2017. Revision application received: September 6, 2018.

The following stormwater outfall discharges to Ten Mile Creek:

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

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

<i>Outfall: 001</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)	3.0	6.0	7.0
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
Total Dissolved Solids (mg/L)		Monitor and Report	
Sulfates (mg/L)		Monitor and Report	
Specific Conductivity (microhmos)		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.

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.

E46-1179. Richard and Christine Root, 225 Gypsy Lane, King of Prussia, PA 19406, Upper Merion Twp., **Montgomery County**, ACOE Philadelphia District. To relocate, restore, and maintain approximately 80 LF of the stream bank of Gulph Creek to its original location and to construct and maintain approximately 80 LF of 36 inch retaining wall at the top of the bank to protect the existing dwelling.

The site is located at 225 Gypsy lane, (Norristown, PA USGS map Lat: 40.069629; Long: -75.34896).

E46-1178. Borough of Ambler, 131 Rosemary Avenue, Ambler, PA 19002-4737, Ambler Borough, **Montgomery County**, ACOE Philadelphia District.

To remove an existing parking lot obstruction and construct and maintain a conventional park with trees, shrubs, benches etc. within the floodway/floodplain that rests above the enclosed Tannery Run (TS-MF) associated with the renovations in the Borough.

The site is located at southeast corner of Park Avenue and Butler Avenue (Ambler, PA USGS Quadrangles Latitude: 40.156908; Longitude: -75.217270).

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

E02052-1808, Anthony Liberoni, 459 Davidson Rd, Plum, PA 15239, Plum Borough, **Allegheny County**; Pittsburgh ACOE District.

The applicant is proposing to:

Construct, maintain, and operate a 24" corrugated metal pipe which conveys an Unnamed Tributary of Little Plum Creek (WWF) for the purpose of replacing an existing 12" corrugated metal pipe which is deteriorated.

Impacts include 80 linear feet of permanent stream impact and 2,000 square feet of floodway impact for the installation of the 24" corrugated metal pipe. No mitigation is required.

The project site is located at 1100 Mallisee Road (Murrysville, PA USGS topographic quadrangle; N: 40°, 29', 47"; W: -79°, 43', 34"; Sub-basin 18A; USACE Pittsburgh District), in Plum Borough; Allegheny County.

E11-362, PennDOT District 9-0, 1620 North Juniata Street, Hollidaysburg, PA 16648, Scalp Level Borough, **Cambria County**, Pittsburgh ACOE District.

The applicant is proposing to:

Remove an existing single span concrete encased steel I-beam bridge with a minimum underclearance of 4.85 feet that has a normal clear span of 36.8 feet, and construct and maintain replacement single span composite steel plate girder bridge that has a minimum underclearance of 6.1 feet with a normal clear span of 50.06 feet, that carries SR 3015 over Little Paint Creek (CWF), for the purpose of replacing a structurally deficient structure. The project will permanently impact 36.44 LF and temporarily impact 300 LF of Little Paint Creek, for the installation of the proposed structure, scour protection, and bank stabilization. The project will temporarily impact 340 LF, and permanently impact 370 LF, of the floodway of Little Paint Creek. Mitigation will occur by restoring and enhancing the site by stabilizing 298 LF of stream bank with rock protection and vegetation, and by removing another existing structure (aka Bantley Place Bridge) and restoring 59 LF of open channel underneath the removed Bantley Place Bridge.

The project site is located at SR 3015 Section 01B, Little Paint Creek Bridge (Windber, PA USGS topographic quadrangle; N: 40° 14' 47.4385"; W: -78° 50' 47.2182"; Sub-basin 18E; USACE Pittsburgh District), in Scalp Level Borough, Cambria County.

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

E2006119-001. PA Department of Transportation, District 1-0, 255 Elm Street, Oil City, PA 16301. SR 0006, Segment 0900, Offset 0114 across French Creek, in Cambridge Springs Borough, **Crawford County**, ACOE

Pittsburgh District (Cambridge Springs, PA Quadrangle N: 41° 48' 17.7"; W: 80° 06' 21.6").

To remove the existing structure and to construct and maintain a two-span composite pre-stressed, concrete bulb-tee beam bridge supported on integral abutments with spans of 105 feet each, an out-to-out width of 42 feet and a minimum underclearance of 22.4 feet across French Creek in Cambridge Springs Borough, Crawford County. The project will result in 208 linear feet of temporary stream impacts and 200 linear feet of permanent stream impacts to French Creek. No wetlands will be impacted by the project.

E43-358, Grove City College, 100 Campus Drive, Grove City, PA 16127. Wolf Creek Stream Bank Restoration, in Grove City Borough, Mercer County, ACOE Pittsburgh District (Pittsburgh, PA Quadrangle N: 41° 9' 32"; W: -80° 5' 5").

The original permit application was published in the *PA Bulletin* on February 2, 2013 and issued on August 8, 2013. The original project proposed 260 linear feet of streambank stabilization utilizing R4 and R7 rock armoring as well as reinforced earthen fill with vegetative plantings along the western bank of Wolf Creek CWF in Grove City. The permittee has obtained additional funding and is now proposing to stabilize an additional 180 feet of eroded streambank directly upstream of the previous stabilization project utilizing the same R4 and R7 rock armoring and reinforced earthen fill with vegetative plantings along the western bank of Wolf Creek.

DAM SAFETY

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

D26-131. Linden Hall Corporation, 60 Boulevard of the Allies, Pittsburgh, PA 15222. To modify, operate and maintain Linden Lake Dam across a tributary to Youghiogheny Creek (WWF) for the purpose of providing more spillway capacity to comply with Department Regulations. (Dawson, PA Quadrangle Latitude: 40° 04' 07"; Longitude: 79° 42' 01") in Dawson Borough, **Fayette 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—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage

under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

I. NPDES Renewal Permit Actions.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed)</i>	<i>EPA Waived Y/N?</i>
PA0055913 (Industrial)	Corco Chemical Corporation Tyburn Road & Cedar Lane Fairless Hills, PA 19030	Bucks County Falls Township	Martins Creek 2-E	Yes
PA0052787 (Sewage)	Quakertown United Mennonite Church 180 West Thatcher Road Quakertown, PA 18951	Bucks County Richland Township	Tohickon Creek 2-D	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0060763 (Sewage)	Winona Wastewater Treatment Plant Gallahan Pass Middle Smithfield Township, PA 18302	Monroe County Middle Smithfield Township	Bush Kill (1-D)	Yes
PA0063517 (Sewage)	Bonham's Nursing and Rehab Center 477 Bonnieville Road Stillwater, PA 17878	Luzerne County Huntington Township	Pine Creek (5-C)	Yes
PAS802209 (Stormwater)	Werner Transportation 5422 Oakview Drive Allentown, PA 18104	Lehigh County Upper Macungie Township	Unnamed Tributary to Cedar Creek (02C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0219185 (Sewage)	Glen Campbell Borough P.O. Box 43 Glen Campbell, PA 15708	Indiana County Glen Campbell Borough	Unnamed Tributary to West Branch Susquehanna River (8-B)	Yes
PA0219258 (Sewage)	Mechling Shakley Veterans Center Inc. 1431 State Route 268 Cowansville, PA 16218	Armstrong County Sugarcreek Township	Unnamed Tributary of Patterson Creek (18-F)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0217948 (Industrial)	Highridge Water System— Sugar Run WTP 17 Maple Avenue Blairsville, PA 15717-1232	Westmoreland County Saint Clair Township	Unnamed Tributary to Conemaugh River and Unnamed Tributary of Conemaugh River (18-D)	Yes
PA0090816 (Sewage)	51 Estates MHC LLC 2138 Espey Court Suite 1 Crofton, MD 21114	Allegheny County Forward Township	UNT of UNT to Gillespie Run (19-D)	Yes
PA0042587 (Sewage)	Mlm Enterprises STP 12 N Jefferson Avenue Canonsburg, PA 15317-1306	Washington County North Strabane Township	Unnamed Tributary of Chartiers Creek (20-F)	Yes
PA0000469 (Industrial)	Arconic Inc. 100 Technical Drive New Kensington, PA 15068	Upper Burrell Township Westmoreland County	Unnamed Tributary to Pine Run and Unnamed Tributary of Pine Run (18-B)	No

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

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

NPDES Permit No. PA0245071, Sewage, **Dean Radosky**, 4431 Axe Handle Road, Quakertown, PA 18951.

This proposed facility is located in East Rockhill Township, **Bucks County**.

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

NPDES Permit No. PA0245089, Sewage, **Matthew & Barbara Delaney**, 1405 Wexford Circle, West Chester, PA 19380-5815.

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

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

NPDES Permit No. PA0036200, Sewage, **Radley Run Mews Sewer Authority**, P.O. Box 84, Pocopson, PA 19366-0084.

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

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

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

NPDES Permit No. PA0266833, Sewerage, **Mike E & Rebecca L Stamy**, 575 Mountain Road, Boiling Springs, PA 17007.

This proposed facility is located in South Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Applicant is authorized to discharge from a facility known as Stamy Single Residence Sewage Treatment Plant, located in South Middleton Township, Cumberland County, to Old Town Run in Watershed(s) 7-E in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

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

NPDES Permit No. PA0255505, Storm Water, SIC Code 1311, **Markwest Liberty Midstream & Resources LLC**, 4600 J Barry Court, Suite 500, Canonsburg, PA 15317-5854.

This proposed facility is located in Buffalo Township, **Washington County**.

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

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

NPDES Permit No. PA0271811, Sewage, SIC Code 4952, 8800, **Jeffrey Aiello**, 639 Maxwell Road, Clarion, PA 16214.

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

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

NPDES Permit No. PA0271870, Sewage, SIC Code 8800, **Zachary Cowher**, 126 Leon Drive, New Castle, PA 16101.

This proposed facility is located in Shenango Township, **Lawrence 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.

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

WQM Permit No. 0918403, Sewage, **Dean Radosky**, 4431 Axe Handle Road, Quakertown, PA 18951.

This proposed facility is located in East Rockhill Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a single residence sewage treatment plant.

WQM Permit No. 1599404, Sewage, Transfer, **Pennsylvania American Water Company**, 850 Wesley Drive, Mechanicsburg, PA 17055.

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

Description of Action/Activity: Transfer ownership.

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

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

Description of Action/Activity: Installation of Co Mag along with the replacement of dewatering sludge.

WQM Permit No. WQG02231810, Sewage, **DELCORA**, 100 E. 5th Street, P.O. Box 999, Chester, PA 19016.

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

Description of Action/Activity: Transfer ownership.

WQM Permit No. 1519401, Sewage, **Matthew & Barbara Delaney**, 1405 Wexford Circle, West Chester, PA 19380.

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

Description of Action/Activity: Installation of a SFTF to replace malfunctioning on-lot system.

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

WQM Permit No. 5214402-A2, Sewage, **Aqua Pennsylvania Wastewater, Inc.**, One Aqua Way, White Haven, PA 18661.

This existing facility is located in Lackawaxen Township, **Pike County**.

Description of Proposed Action/Activity: This permit authorizes the rerate of the permitted design organic capacity of the existing Woodloch Springs wastewater treatment plant from 250 lbs/day to 446 lbs/day to reflect several upgrade projects that have been completed since construction of the original treatment facility. The project is located approximately 0.9 mile east of S.R. 0590, adjacent to the Woodloch maintenance area along Links Court.

WQM Permit No. WQG02481901, Sewage, SIC Code 4952, **Bethlehem Township Municipal Authority**, 3535 Orth Street, Bethlehem, PA 18020.

This proposed facility is located in Bethlehem Township, **Northampton County**.

Description of Proposed Action/Activity: The project is for the construction of a pump station to serve portions of the proposed Traditions of America subdivision, existing homes on Green Pond Road, County Club Road, and proposed Dutt Tract. Two pumps (alternating between pumping cycles) rated for 80 gallons per minute at 34.5 ft TDH will convey wastewater to a 4-inch fused HDPE force main. The wet well-mounted pump station includes a control building, emergency generator, ventilation, and other associated appurtenances.

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

WQM Permit No. 2819401, Sewerage, **Greene Township Municipal Authority**, 4182 Sunset Pike, Chambersburg, PA 17201.

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

Description of Proposed Action/Activity: This permit approves construction/ operation of sewage facilities consisting of: The replacement of the main interceptor in the Fayetteville and Oak Hill basins from MH 554 to MH 579, as well as the associated manholes and other appurtenances.

WQM Permit No. 4495402, A4, Sewerage, **Union Township Municipal Authority**, P.O. Box 5625, Belleville, PA 17004-5625.

This proposed facility is located in Union Township, **Mifflin County**.

Description of Proposed Action/Activity: This permit approves the construction/operation of sewage facilities consisting of: construction of a new Gravity Thickened Aerobic Digester (G-TAD) system capable of processing 23,300 gallons of waste activated sludge daily. Also, modifications to the return activated sludge (RAS)/waste activated sludge (WAS) pump station and the replacement of biological treatment blowers.

WQM Permit No. 2118203, Sewerage, **Mike E & Rebecca L Stamy**, 575 Mountain Road Boiling Springs, PA 17007.

This proposed facility is located in South Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: This permit approves the construction/operation of sewage facilities consisting of: 1,250-gallon two (2)-compartment septic tank with Polylock PL-122 filter; 800-gallon recirculating tank with Orenco Advantex Treatment System including UV disinfection (AdvanTex AX20RTUV); 4-inch PVC Outfall Pipe.

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

WQM Permit No. 1119400, Sewage, **City of Johnstown**, 401 Main Street, Johnstown, PA 15901.

This proposed facility is located in the City of Johnstown, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of replacement and rehabilitation of the existing Fairfield Avenue Sanitary Sewers located in the Morrellville Area of the City of Johnstown. Treatment to be provided at the existing Johnstown—Dornick Point STP.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania’s State Revolving Fund has been identified as a possible funding source. The Department’s review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

WQM Permit No. 1118400, Sewage, **Johnstown Redevelopment Authority**, 401 Washington Street, 4th Floor Public Safety Building, Johnstown, PA 15901.

This proposed facility is located in the City of Johnstown, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of replacement and rehabilitation of the existing Fairfield Avenue Interceptor Sewer located in the Morrellville Area of the City of Johnstown. Treatment to be provided at the existing Johnstown—Dornick Point STP.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania’s State Revolving Fund has been identified as a possible funding source. The Department’s review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

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

WQM Permit No. 1618411, Sewage, **Jeffrey Aiello**, 639 Maxwell Road, Clarion, PA 16214.

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

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

WQM Permit No. 3718405, Sewage, **Zachary Cowher**, 126 Leon Drive, New Castle, PA 16101.

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

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

IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Individual Permits Issued.

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

<i>NPDES Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI133546	Maidencreek Township Berks County 1 Quarry Road Blandon, PA 19510	Maidencreek Township, Berks	Unnamed Tributary to Willow Creek, Maiden Creek, and Willow Creek/ WWF, CWF, and MF	Y	Y
PAI133547	Warwick Lititz Joint Client 315 Clay Road Lititz, PA 17543-9019	Lancaster	Cocalico Creek, Unnamed Tributary to Santo Domingo Creek, Santo Domingo Creek, Hammer Creek, Unnamed Tributary to Cocalico Creek, Hubers Run, New Haven Run, Bachman Run, Unnamed Tributary to Hammer Creek, Lititz Run, Unnamed Tributary to Lititz Run, and Unnamed Tributary to Bachman Run/ WWF, TSF, and MF	Y	Y

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150127	Immaculata University 1145 King Road Immaculata, PA 19345	Chester	East Whiteland Township	Valley Creek EV
PAD510033	Department of the Navy Public Works Department Pennsylvania 4921 South Broad Street Philadelphia, PA 19112-1303	Philadelphia	City of Philadelphia	Schuylkill River CWF-MF Delaware River WWF-MF
PAD510039	Burris Logistics/Honor Foods, Inc. 1801 North 5th Street Philadelphia, PA 19122	Philadelphia	City of Philadelphia	Delaware River WWF Tributary 02407 to Delaware River WWF

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>
PAD390096	Millbrook Estates, LLC 4511 Falmer Drive Bethlehem, PA 18020	Lehigh	Lower Macungie Township	UNT to Little Lehigh Creek— HQ-CWF, MF
PAD520011	Lehman's Pointe Acquisition, LLC 700 S. Henderson Road Suite 202 King of Prussia, PA 19406-3530	Pike County	Lehman Township	UNT to Saw Creek (HQ-CWF, MF) EV Wetlands

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD360034 Issued	Weaverland Valley Authority 4610 Division Highway East Earl, PA 17519	Lancaster	Terre Hill Borough East Earl Township	Conestoga River (WWF, MF) Cedar Creek (WWF, MF) UNT Black Creek (HQ-WWF, MF)
PAD060022 Issued	PPL Electric Utilities Corporation 2 North Ninth Street GENN4 Allentown, PA 18101	Berks	Spring Township Sinking Spring Borough	Cacoosing Creek (CWF, MF) UNT Wyomissing Creek (HQ-CWF, MF)
PAD210028 Issued	US Army— Carlisle Barracks Garrison 330 Engineer Avenue Carlisle, PA 17013	Cumberland	North Middleton Township Middlesex Township Carlisle Borough	Letort Spring Run (HQ-CWF, MF)

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

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

List of NPDES and/or Other General Permit Types.

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems

PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

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

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Plumstead Township Bucks County	PAC090199	Airgas USA LLC 6141 Easton Road Plumsteadville, PA 18949-0310	Cabin Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Buckingham Township Bucks County	PAC090230	William R. Swank 1481 Forest Grove Road Furlong, PA 18925	Mill Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bensalem Township Bucks County	PAC090236	Neshaminy Winding Brook, LLC 329 South Main Street Suite B Doylestown, PA 18901	Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Southampton Township Bucks County	PAC090233	Frank DiSandro 1843 Buck Road Feasterville, PA 19053-2309	Mill Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Northampton Township Bucks County	PAC090222	Spring Mill Associates, LP 409 Stenton Avenue Flourtown, PA 19031-1327	Unnamed Tributary Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Caln Township Delaware County	PAC150116	Storage First Caln 24 Laymens Way Chester Springs, PA 19425	Unnamed Tributary to Plum Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Bradford Township Delaware County	PAC150105	Toll PA VI, LP 250 Gibraltar Road Horsham, PA 19044	Unnamed Tributary to Darby Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Kennett Township and Kennett Square Borough Delaware County	PAC150106	Merion Kennett Square Developer, LLC 308 East Lancaster Avenue Suite 300 Wynnewood, PA 19096	Unnamed Tributary to Beaver Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Valley Township Delaware County	PAC150129	Valley Square Development Associates, LP 321 South Valley Road Devon, PA 19333	West Branch Red Clay Creek/ East Branch Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Birmingham Township Delaware County	PAC150110	Constantine and Eleni Anastasiadis 1360 Old Wilmington Pike West Chester, PA 19382	Unnamed Tributary to East Branch of The Brandywine Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Kennett Township Delaware County	PAC150109	Longwood Gardens 1001 Longwood Road Kennett Square, PA 19348	East Branch of Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Birmingham Township Delaware County	PAC150096	Kevin Gates 1115 Legacy Lane West Chester, PA 19382	Valley Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Easttown Township Delaware County	PAC150097	2016 Childrens Trust 311 North Sumneytown Pike Suite 1A North Wales, PA 19454	Doe Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Downingtown Borough Delaware County	PAC150108	Downingtown Area School District 540 Trestle Place Downingtown, PA 19355	West Branch Red Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Marlborough Township Delaware County	PAC150103	Toll Mid-Atlantic LP Company, Inc. 250 Gibraltar Road Horsham, PA 19044	Unnamed Tributary to North East Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Caln Township Delaware County	PAC150102	Downingtown Investors, LLC 14 Balligomingo Road P.O. Box 429 Conshohocken, PA 19428	Unnamed Tributary to Plum Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Kennett Township Delaware County	PAC150125	The Hamlet Villas, LLC 107 Avery Road Kennett Square, PA 19348	Unnamed Tributary to Darby Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Whiteland Township Delaware County	PAC150107	420 Clovermill, LLC 960 South Wisteria Drive Malvern, PA 19355	Unnamed Tributary to Beaver Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Fallowfield Township Delaware County	PAC150095	Landhope Realty, Co. 101 East Street Road Kennett Square, PA 19348	West Branch Red Clay Creek/ East Branch Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Marlborough Township Delaware County	PAC150111	Frank C. Lordi, Jr. 700 Pheasant Run Kennett Square, PA 19348	Unnamed Tributary to East Branch of The Brandywine Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
East Nottingham Township Delaware County	PAC150112	Mason's Chrome View, Ltd. 86 Chrome Road Nottingham, PA 19362	East Branch of Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Chichester Delaware County	PAC230102	Bodo Group, LLC 576 South Heilbron Drive Media, PA 19063	Nammans Creek WWF-MF Marcus Hook Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Delaware County	PAC230100	National Realty Corporation 1001 Baltimore Pike Springfield, PA 19064	Crum Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Concord Township Delaware County	PAC230062	Concord Ventures, L.P. 120 West Germantown Pike Suite 120 Plymouth Meeting, PA 19462	Beaver Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Springfield Township Montgomery County	PAC460289	KB Newbold Lane LLC 1273 Butler Pike Blue Bell, PA 19422	Wissahickon Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Salford Township Montgomery County	PAC460314	Christopher Lane Realty, LLC 100 Christopher Lane Harleysville, PA 19438	Unnamed Tributary to Skippack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC400107	Corgan Realty Co Michael Corgan 254 Johnson St Wilkes-Barre, PA 18702	Luzerne	Wilkes-Barre Twp	Spring Run Creek (CWF, MF)
PAC400100	North Point Development Hanover, LLC Eric Watts 3010 Highland Pkwy Ste 440 Downers Grove, IL 60515	Luzerne	City of Nanticoke Hanover Twp	Espy Run (CWF, MF) Nanticoke Creek (CWF, MF)

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

*Facility Location:
Municipality & County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC010073	Diffendal-Welliver, Inc. 2971 Bird View Road Westminster, MD 21157	Alloway Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Southampton Township Shippensburg Township Cumberland County Issued	PAC210130	Shippensburg University Foundation 1871 Old Main Drive Shippensburg, PA 17257	Burd Run (CWF) Middle Spring Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
New Freedom Borough York County Issued	PAC670193	New Freedom Borough 49 East High Street New Freedom, PA 17349	UNT Mill Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Penn Township York County Issued	PAC670205	Lancaster County Bible Church 2392 Mount Joy Road Manheim, PA 17545	UNT South Branch Conewago Creek (WWF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Spring Garden Township York County Issued	PAC670241	Spring Garden Township 558 South Ogontz Street York, PA 17403	UNT Codorus Creek (WWF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430

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

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
East Franklin Township Armstrong County	PAC030017	Richard Snyder P.O. Box 93 Cowansville, PA 16218	UNT to Glade Run CWF	Armstrong County Conservation District 120 S Grant Avenue Suite 2 Kittanning, PA 16201 724-548-3425
Lancaster Township Butler County	PAC100129	Brennan Builders, Inc Mr. Robert Brennan 800 S Washington Street Evans City, PA 16033	UNT to Yellow Creek/Crab Run CWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
Young Township Indiana County	PAC320032	FirstEnergy Corporation 800 Cabin Hill Drive Greensburg, PA 15601	Unnamed tributary to Big Run CWF	Indiana County Conservation District 350 North 4th Street Indiana, PA 15701 724-471-4751
Franklin Township Butler County	PAC100128	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	UNT to Semiconon Run CWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270

General Permit Type—PAG-3

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Middletown Township Bucks County	PAG030090	Langhorne Scrap Metal Processing, Inc. 2320 Big Oak Road Langhorne, PA 19047	Mill Creek 2-E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970

NOTICES

1581

*Facility Location:
Municipality &
County*

Bell Acres Borough
Allegheny County

Permit No.
PAR706122

Applicant Name & Address
Wine Concrete Products Inc.
1000 Big Sewickley Creek Road
Sewickley, PA 15143-8653

*Receiving
Water/Use*
Big Sewickley
Creek—20-G

*Contact Office &
Phone No.*
DEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive
Pittsburgh, PA
15222-4745
412.442.4000

General Permit Type—PAG-06

*Facility Location
Municipality &
County*

West Homestead
Borough
Allegheny County

Permit No.
PAG066123

Applicant Name & Address
West Homestead Borough
Allegheny County
456 W 8th Avenue
West Homestead, PA
15120-1030

*Receiving
Water/Use*
Monongahela River
and West Run—19-A

*Contact Office &
Phone No.*
DEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive
Pittsburgh, PA
15222-4745
412.442.4000

General Permit Type—PAG-12

*Facility Location:
Municipality &
County*

Millcreek Township
Lebanon County

Permit No.
PAG123881

Applicant Name & Address
Matthew Nolt
131 Krumstown Road
Myerstown, PA 17067

*Receiving
Water/Use*
Watershed(s) 3-C

*Contact Office &
Phone No.*
DEP Southcentral
Regional Office
Clean Water Program
909 Elmerton Avenue
Harrisburg, PA
17110-8200
717.705.4800

Jordan Township
Northumberland
County

PAG124867

Landis Farm CAFO
2607 Klingerstown Road
Herndon, PA 17830

Watershed(s)
6-C

DEP Southcentral
Regional Office
Clean Water Program
909 Elmerton Avenue
Harrisburg, PA
17110-8200
717.705.4800

General Permit Type—PAG-13

*Facility Location
Municipality &
County*

McDonald Borough
Washington County

Permit No.
PAG136235

Applicant Name & Address
McDonald Borough
MS4 Joint Client
151 School Street
McDonald, PA 15057-1288

*Receiving
Water/Use*
Robb Run and
Robinson Run—
20-F

*Contact Office &
Phone No.*
DEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive
Pittsburgh, PA
15222-4745
412.442.4000

Franklin Park
Borough
Allegheny County

PAG136175

Franklin Park Borough
Allegheny County
2344 W Ingomar Road
Pittsburgh, PA 15237

Pine Creek,
Unnamed Tributary
to Bear Run,
Fish Run,
East Branch Big
Sewickley Creek,
Unnamed Tributary
of Ohio River, and
Rippling Run—
20-G and 18-A

DEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive
Pittsburgh, PA
15222-4745
412.442.4000

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Township of Pine Allegheny County	PAG136152	Township of Pine 230 Pearce Mill Road Wexford, PA 15090-8511	Rinaman Run, Unnamed Tributary to North Fork Pine Creek, Brush Creek, Wexford Run, Unnamed Tributary to Montour Run, Unnamed Tributary to Breakneck Creek and Unnamed Tributary to Pine Creek 20-C and 18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Valencia Borough Butler County	PAG138327	Valencia Borough Butler County 61 Almira Street Valencia, PA 16059-8725	Unnamed Tributary to Breakneck Creek—20-C	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

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

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

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

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

NUTRIENT MANAGEMENT PLAN PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Springfield Manor Farm, LLC James Charles & Timothy Long 3241 Blue Rock Rd Lancaster, PA 17603	Lancaster	104.4	306.41	Layers/Swine	NA	A
Bellaire Farms, LLC William Hynes & Eric Miller 225 Oberholtzer Rd Elizabethtown, PA 17022	Lancaster	2.1	232.39	Broilers	NA	A

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).

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

Permit No. 15185278, Public Water Supply.

Applicant	Holland County Day School 1525 South Bailey Road Coatesville, PA 19320
Township	East Fallowfield
County	Chester
Type of Facility	PWS
Consulting Engineer	J.S. Madaras Consulting, LLC
Permit to Construct Issued	March 13, 2019

Operations Permit # 1516521 issued to **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, **PWS ID # 1460073**, Schuylkill Township, **Chester County** on March 18, 2019 for the operation of Inclined Plate Setters and chain-and-flight sludge collectors, approved under construction permit # 156521.

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

Permit No. 2406498, Operation Permit, Public Water Supply.

Applicant	Nature's Way Springs, LP 164 Commerce Road Pittston, PA 18640-9552
Municipality	Foster Township
County	Luzerne
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit to Operate Issued	March 13, 2019

Permit No. 3396420, Operation Permit, Public Water Supply.

Applicant	Nestle Waters North America, Inc. 305 Nestle Way Breinigsville, PA 18031
Municipality	Upper Macungie Township
County	Lehigh
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit to Operate Issued	March 13, 2019

Permit No. 2520103, Operation Permit, Public Water Supply.

Applicant	Moon Valley Falls Homeowners Association P.O. Box 1068 Milford, PA 18337
Municipality	Milford Township
County	Pike
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit to Operate Issued	February 27, 2019

Permit No. 3540043, Operation Permit, Public Water Supply.

Applicant	UMH Properties, Inc. (Frieden Manor MHC) 150 Clay Street Suite 450 Morgantown, WV 26501
Municipality	Wayne Township
County	Schuylkill
Type of Facility	PWS
Consulting Engineer	N/A
Permit to Operate Issued	March 11, 2019

Permit No. 4018524MA, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 1 Aqua Way White Haven, PA 18661
[Borough or Township]	Butler Township
County	Luzerne
Type of Facility	PWS

Consulting Engineer	Daniel J. Hopkins PE Entech Engineering, Inc. 201 Penn Street P.O. Box 32 Reading, PA 19601	Permit to Construct Issued	3/5/2019
Permit to Construct Issued	3/13/2019	Permit No. 3618525 , Public Water Supply.	
Applicant	Aqua PA, Inc. 1 Aqua Way White Haven, PA 18661	Applicant	Rino's Pizza
[Township or Borough]	Honesdale Borough	Municipality	Penn Township
County	Wayne	County	Lancaster
Responsible Official	Patrick R. Burke, PE Aqua PA, Inc. 204 E. Sunbury Street Shamokin, PA 17872	Responsible Official	Javier Anota Xolio, Owner 1711 Lebanon Road Manheim, PA 17545
Type of Facility	PWS	Type of Facility	Installation of facilities to provide 4-log treatment of viruses.
Consulting Engineer	Douglas Berg, P.E. Entech Engineering, Inc. 201 Penn Street P.O. Box 32 Reading, PA 19603	Consulting Engineer	Charles A. Kehew II, P.E. James R. Holley & Associates, Inc. 18 South George Street York, PA 17401
Permit Issued Date	03/07/2019	Permit to Construct Issued	3/13/2019
Permit No. 3540070 , Public Water Supply.		Permit No. 0619502 MA, Minor Amendment , Public Water Supply.	
Applicant	Aqua PA, Inc. 1 Aqua Way White Haven, PA 18661	Applicant	Reading Area Water Authority
[Township or Borough]	North Union Township	Municipality	Reading
County	Schuylkill	County	Berks
Responsible Official	Patrick R. Burke, PE Aqua PA, Inc. 204 E. Sunbury Street Shamokin, PA 17872	Responsible Official	Kim Mazur, Operations Manager 1801 Kutztown Road Reading, PA 19604
Type of Facility	PWS	Type of Facility	Replacement of the chemical feed system in the 18th Ward Booster Station and modifications to the existing stand-by generator.
Consulting Engineer	Jonathan Morris, PE GHD 1240 North Mountain Road Harrisburg, PA 17112 (814) 643-8260	Consulting Engineer	Thomas L. Weld Jr, P.E. BCM Engineers 920 Germantown Pike Plymouth, PA 19462
Permit Issued Date	03/01/2019	Permit to Construct Issued	3/13/2019
<i>Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.</i>		Permit No. 6719502 MA, Minor Amendment , Public Water Supply.	
Permit No. 2818510 , Public Water Supply.		Applicant	Delta Borough Municipal Authority
Applicant	Spring Run Pit Stop, LLC	Municipality	Delta Borough
Municipality	Fannett Township	County	York
County	Franklin	Responsible Official	Gregory A. Moul, Chairperson 101 College Avenue P.O. Box 278 Delta, PA 17314
Responsible Official	Yussuf Ibrahim, Owner 16361 Path Valley Road Spring Run, PA 17262	Type of Facility	Well No. 8 pump replacement.
Type of Facility	Installation of sodium hypochlorite disinfection to provide 4-log treatment of viruses, cation exchange for hardness removal, and cartridge filtration for particulate removal.	Consulting Engineer	Christopher W. Toms, P.E. C. S. Davidson, Inc 50 West Middle Street Gettysburg, PA 17325
Consulting Engineer	Randolph S. Bailey, P.E. Wm. F. Hill & Assoc., Inc. 207 Baltimore Street Gettysburg, PA 17325	Permit to Construct Issued	3/18/2019

Comprehensive Operation Permit No. 3060094 issued to: **Diakon Lutheran Social Ministries (PWS ID No. 3060094)**, Longswamp Township, **Berks County** on 3/7/2019 for the operation of facilities approved under Construction Permit No. 0617502.

Comprehensive Operation Permit No. 3060069 issued to: **PA American Water Company (PWS ID No. 3060069)**, Spring Township, **Berks County** on 3/5/2019 for the operation of facilities at Pennsylvania-American Water Company Penn District approved under Construction Permit No. 0617514.

Operation Permit No. 0618524 MA issued to: **Vinemont Community Lutheran Church (PWS ID No. 3060658)**, Spring Township, **Berks County** on 3/13/2019 for facilities approved under Construction Permit No. 0618524 MA.

Operation Permit No. 3618517 issued to: **VNF, LLC (PWS ID No. 7360792)**, Ephrata Township, **Lancaster County** on 3/6/2019 for facilities approved under Construction Permit No. 3618517.

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

Permit No. 0218501, Public Water Supply.

Applicant	West Penn Allegheny Health System, Inc. 320 East North Avenue Pittsburgh, PA 15212
[Borough or Township]	City of Pittsburgh
County	Allegheny
Type of Facility	Water system
Consulting Engineer	Venture Engineering & Construction 100 Global View Drive Suite 600 Warrendale, PA 15086
Permit to Construct Issued	March 15, 2019

Operations Permit issued to: **Crystal Waters, Inc.**, 4639 Highway 119 North, Home, PA 15747, (**PWS ID # 5320332**) Rayne Township, **Indiana County** on March 15, 2019 for the operation of facilities approved under Construction Permit # 3218503.

Operations Permit issued to: **Municipal Water Authority of Aliquippa**, 160 Hopewell Avenue, Aliquippa, PA 15001, (**PWS ID # 5040006**) City of Aliquippa, **Beaver County** on March 14, 2019 for the operation of facilities approved under Construction Permit # 0418526MA.

Operations Permit issued to: **Monroeville Municipal Authority**, 219 Speelman Lane, Monroeville, PA 15146, (**PWS ID # 5020027**) Monroeville Borough, **Allegheny County** on March 15, 2019 for the operation of facilities approved under Construction Permit # 0218513MA.

Permit No. 0418522MA, Minor Amendment. Public Water Supply.

Applicant	Creswell Heights Joint Water Authority 3961 Jordan Street P.O. Box 301 South Heights, PA 15081
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[Township or Borough]	South Heights Borough and Crescent Township
County	Beaver and Allegheny County
Responsible Official	Daniel Losco, General Manager Creswell Heights Joint Water Authority 3961 Jordan Street P.O. Box 301 South Heights, PA 15081
Type of Facility	Water system
Consulting Engineer	KLH Engineers, Inc. 5173 Campbells Run Road Pittsburgh, PA 15205
Permit to Construct Issued	March 18, 2019

Permit No. 3213519GWR-A1, Minor Amendment. Public Water Supply.

Applicant	Crystal Waters, Inc. 4639 Highway 119 North Home, PA 15747
[Township or Borough]	Rayne Township
County	Indiana
Responsible Official	Thomas Loughry, President Crystal Waters, Inc. 4639 Highway 119 North Home, PA 15747
Type of Facility	Water system
Consulting Engineer	G Force Engineering Services, LLC 1630 Philadelphia Street Indiana, PA 15701
Permit to Operate Issued	March 15, 2019

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

Permit No. 4292501-MA2, Public Water Supply.

Applicant	Bradford City Water Authority
Township or Borough	Bradford Township
County	McKean County
Type of Facility	Public Water Supply
Consulting Engineer	Randy Krause Bankson Engineers 267 Blue Run Road Cheswick, PA 15024
Permit to Construct Issued	March 13, 2019

Operation Permit issued to **Meadville Lodge No. 219 Benevolent and Protective Order of Elks, PWSID No. 2018502**, West Mead Township, **Crawford County**. Permit Number 2018502 issued March 14, 2018 for the operation of the new water treatment system installed at the Meadville Elks Lodge 219. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on February 28, 2019 with follow-up documentation provided on February 28, 2019.

Permit No. 4287502-MA6, Public Water Supply.

Applicant **Bradford City Water Authority**
 Township or Borough **Bradford Township**
 County **McKean County**
 Type of Facility **Public Water Supply**
 Consulting Engineer **Randy Krause
 Bankson Engineers
 267 Blue Run Road
 Cheswick, PA 15024**
 Permit to Construct Issued **March 18, 2019**

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Halifax Township	102 Fisher Street Halifax, PA 17032	Dauphin

Plan Description: Approval is granted for an update to the Official Plan of Halifax Township, Dauphin County. The project is known as the Act 537 Sewage Facilities Plan for Halifax Township, Dauphin County (DEP Code No. A1-22917-ACT). The plan provides for the extension of public sewer to the Matamoras, Route 147 & 225, Triangle and Lenker Estates areas of the township within ten years of this Act 537 Plan approval. A combination gravity and low-pressure collection system will be constructed to serve these residents with either a direct connection to the existing Halifax Area Water and Sewer Authority (HAWASA) South Interceptor or conveyed to a proposed pump station where the flow would be fed to the HAWASA gravity sewer system via force main and gravity sewer main. Areas of the township not currently served or in the identified areas listed above will be maintained through the implementation of an on-lot sewage disposal system (OLDS) management program with a three-year septic tank inspection and pumping cycle to begin in 2021-2022. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority, as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Reading Township	50 Church Road East Berlin, PA 17316	Adams

Plan Description: Approval is granted for an update to the Official Plan of Reading Township, Adams County. The project is known as the Lake Meade Municipal Authority Reading Township, Adams County Pumping Station # 3 Force Main Special Study (DEP Code No. E1-01928-ACT). The plan provides for the replacement of 1,600 feet of four-inch pressure sewer pipe with six-inch pressure sewer pipe and direct the discharge to another point in the sewer system in Lake Meade. The estimated

project cost is \$150,000. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority, as appropriate.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Connoquenessing Township	102 Township Drive Renfrew, PA 16053	Butler

Plan Description: The approved plan primarily provides for addressing the sewage needs and growth along the Route 68 corridor in Connoquenessing Township. The project includes constructing a new sewage collection and conveyance system which will discharge into a new wastewater treatment plant (WWTP) located along Welsh Road. The WWTP will have a design capacity of 0.36 MGD. Approximately 1,044 EDUs will be initially served. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

**UNDER ACT 2, 1995
PREAMBLE 2**

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Abbott Pad 2, 1229 Williams Pond Road, Bridgewater Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of a release of brine to soil. The report is intended to document remediation of the site to meet a combination of Background and Statewide Health Standards.

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

Environmental Recovery Corporation, 1076 Manheim Pike, Lancaster, PA 17601, Manheim Township, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Environmental Recovery Corporation, 1076 Manheim Pike, Lancaster, PA 17601, and Middleton Real Estate, LLC, 1076 Manheim Pike, Lancaster, PA 17601, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with gasoline and diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health and Site-Specific Standards.

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

Torpedo Specialty Wire, Inc., 7065 State Route 27, Pittsfield Township, **Warren County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Torpedo Specialty Wire, Inc., P.O. Box 21, Red Oak, NC 26868, submitted a Remedial Investigation Report/Cleanup Plan/Risk Assessment Report concerning the remediation of site soil contaminated with benzene, ethylbenzene, xylenes (total), carbon tetrachloride, chloroform, 1,1-dichloroethane, 1,2-dichloroethane, 1,1-dichloroethene, tetrachloroethene (PCE), 1,1,1-trichloroethane, 1,1,2-trichloroethane, trichloroethene (TCE), vinyl chloride, benzaldehyde, cadmium, chromium (total), copper, lead, mercury, nickel, zinc, trichlorofluoromethane, naphthalene and site groundwater contaminated with acetone, benzene, chloroethane, chloroform, 1,1-dichloroethane, 1,2-dichloroethene, 1,1-dichloroethene, cis-1,2-dichloroethene, trans-1,2-dichloroethene, methylene chloride, 1,1,1-trichloroethane, 1,1,2-trichloroethane, trichloroethene, vinyl chloride, di-n-butyl phthalate, bis[2-ethylhexyl]phthalate, pyrene, caprolactam, barium, chromium, copper, nickel, and zinc. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

13-17 East Green Street, 13-17 East Green Street, Hazleton City, **Luzerne County**. Barry Isett & Associates, 100 West Broad Street, Hazleton, PA 18201, on behalf of City of Hazleton Redevelopment Authority, 40 North Church Street, Hazleton, PA 18201, submitted a

combined Remedial Investigation Report and Cleanup Plan concerning remediation of soil contaminated as the result historic automotive maintenance and waste oil disposal. The report was intended to document remediation of the site to meet Site-Specific Standards. The Remedial Investigation Report was approved by the Department on March 13, 2019 but the Cleanup Plan was disapproved by the Department on March 13, 2019.

Boerger Residence, 1076 Beaver Lake Drive, Paupack Township, **Wayne County**. Bluestone Environmental, 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of Ron and Roberta Boerger, 79 Earl Street, Westbury, NY 11590 submitted a revised final report concerning remediation of site soils contaminated with # 2 fuel oil from an underground storage tank. The report documented remediation of the site to Statewide Health Standards and was approved by the Department on March 18, 2019.

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

Torpedo Specialty Wire, Inc., 7065 State Route 27, Pittsfield Township, **Warren County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Torpedo Specialty Wire, Inc., P.O. Box 21, Red Oak, NC 26868, submitted a Remedial Investigation Report/Cleanup Plan/Risk Assessment Report concerning the remediation of site soil contaminated with benzene, ethylbenzene, xylenes (total), carbon tetrachloride, chloroform, 1,1-dichloroethane, 1,2-dichloroethane, 1,1-dichloroethene, tetrachloroethene (PCE), 1,1,1-trichloroethane, 1,1,2-trichloroethane, trichloroethene (TCE), vinyl chloride, benzaldehyde, cadmium, chromium (total), copper, lead, mercury, nickel, zinc, trichlorofluoromethane, naphthalene and site groundwater contaminated with acetone, benzene, chloroethane, chloroform, 1,1-dichloroethane, 1,2-dichloroethene, 1,1-dichloroethene, cis-1,2-dichloroethane, trans-1,2-dichloroethene, methylene, chloride, 1,1,1-trichloroethane, 1,1,2-trichloroethane, trichloroethene, vinyl chloride, di-n-butyl phthalate, bis[2-ethylhexyl]phthalate, pyrene, caprolactam, barium, chromium, copper, nickel, and zinc. The Report was disapproved by the Department on March 13, 2019.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

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

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

PAD003047792. American Color & Chemical, LLC, Mount Vernon Street, P.O. Box 88, Lock Haven, PA 17745, City of Lock Haven, **Clinton County**. RCRA Part B Post-Closure Care Permit Modification. The permit was issued by the Northcentral Regional Office on March 15, 2019.

PAD003053758. Tecumseh Redevelopment, Inc., 4020 Kinross Lakes Parkway, Richfield, OH 44286-9000, City of Williamsport, **Lycoming County**. Hazardous Waste Permit Modification for the Williamsport Hazardous Waste Impoundments facility. The permit was issued by the Northcentral Regional Office on March 15, 2019.

Permits issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate or for the closure and post-closure care of a Hazardous Waste Treatment, Storage or Disposal Facility.

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

Permit ID No. PAD000736942. Calgon Carbon Corporation, 3000 GSK Drive, Moon Township, PA 15108 for Calgon Carbon Corporation Neville Island Carbon Reactivation Plant, 200 Neville Road, Pittsburgh, PA 15225. A Class 1 permit modification approving revisions to the adsorbate profile document (APD), a change in type of pumps used at the storage area, and a replacement in-kind of the motive water treatment system at the hazardous waste reactivation facility in Neville Township, **Allegheny County**, issued in the Regional Office on March 14, 2019.

REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

Registrations Issued Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Residual Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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

General Permit Registration No. WMGR123NC037. JKLM Energy, LLC, 220 Georgetown Drive, Suite 500, Sewickley, PA 15143, Ulysses Township, **Potter County**. Registration to operate under General Permit No. WMGR123NC037 for storage of oil and gas liquid waste to be used as a water supply to develop or hydraulically fracture an oil or gas well. The registration was issued by the Northcentral Regional Office on March 12, 2019.

Persons interested in obtaining more information about the general permit application may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

General Permit Registration No. WMGR123NC038. JKLM Energy, LLC, 220 Georgetown Drive, Suite 500, Sewickley, PA 15143, Ulysses Township, **Potter County**. Registration to operate under General Permit No. WMGR123NC038 for storage of oil and gas liquid waste to be used as a water supply to develop or hydraulically fracture an oil or gas well. The registration was issued by the Northcentral Regional Office on March 12, 2019.

Persons interested in obtaining more information about the general permit application may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit issued Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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

General Permit No. WMR081NC001. UNICOR—Federal Prison Industries, Inc., Route 15, P.O. Box 1500, White Deer, PA 17887-1500, Gregg Township, **Union County.** Determination of Applicability for General Permit allowing the processing of electronic materials at the Allenwood Federal Prison facility. The Northcentral Regional Office issued with the determination of applicability on March 11, 2019.

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 100955. Clinton County Solid Waste Authority, P.O. Box 209, McElhattan, PA 17748-0209, Wayne Township, Clinton County. Minor Modification to the Wayne Township Landfill Permit 100955 to allow the utilization of sludge-derived synthetic soils (SDSS) as an alternate daily cover material. The permit modification was issued by Northcentral Regional Office on March 14, 2019.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

Permit No. 301306. Sunbury Generation L.P., P.O. Box 517, Old Trail Road, Shamokin Dam, PA 17876-9999, Monroe Township, **Snyder County.** Minor Modification for the final closure of Ash Basin No. 1. The permit modification was issued by the Northcentral Regional Office on February 28, 2019.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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.

GP1-09-0108: National Performance Packaging Holdings, LLC (100 Main Street, Tullytown, PA 19007) On March 14, 2019 for Small Gas and No. 2 Oil Fired Combustion Units located in Tullytown Borough, **Bucks County.**

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP1-48-008: Freshpet, Inc. (176 North Commerce Way, Bethlehem, PA 18017) on March 13, 2019 for the installation and operation of a Cleaver Brooks Natural Gas Fired Boiler for their facility located in Hanover Twp, **Northampton County.**

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

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

GP3-31-8-03002: New Enterprise Stone & Lime Co., Inc. (3912 Brumbaugh Road, P.O. Box 77, New Enterprise, PA 16664) on March 6, 2019, for portable nonmetallic mineral processing equipment under GP3 at the Union Furnace Quarry located in Spruce Creek Township, **Huntingdon County.**

GP11-31-8-03002: New Enterprise Stone & Lime Co., Inc. (3912 Brumbaugh Road, P.O. Box 77, New Enterprise, PA 16664) on March 6, 2019, for two nonroad engines under GP9, to power portable nonmetallic mineral processing equipment, at the Union Furnace Quarry located in Spruce Creek Township, **Huntingdon County.**

GP1-22-03026A: Milton Hershey School (1201 Homestead Lane, P.O. Box 830, Hershey, PA 17033) on March 13, 2019, for three existing natural gas-fired boilers (two at 24.5, and one at 8.2 MMBtu/hr) at the Milton Hershey School Central Power Plant located in Derry Township, **Dauphin County.** The general permit authorization was renewed.

GP1-38-03065: MultiCorr Corporation/CorrChoice PA LLC (5800 Cane Run Road, Louisville, KY 40528) on March 12, 2019, for two 16.8 MMBtu/hr natural gas-fired boilers, under GP1, at the facility located in North Londonderry Township, **Lebanon County.**

Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

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

35-00056B: P.A. Hutchinson Company (400 Penn Avenue, Mayfield, PA 18433) on February 22, 2019 for the installation of one (1) heat set web printing press and one (1) natural gas dryer at their facility in Mayfield Borough, **Lackawanna County**.

40-00063B: Kappa Graphics, L.P. (50 Rock Street, Pittston, PA 18604) on February 26, 2019 for the installation of one (1) non-heatset web printing press and (1) heat set web printing press with two (2) natural gas dryers controlled by a regenerative thermal oxidizer (RTO) at their facility in Hughesstown Borough, **Luzerne County**.

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

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

36-05158E: Perdue AgriBusiness LLC (1897 River Road, Marietta, PA 17547) on March 15, 2019, for the modification to the 40 CFR Part 64, Continuous Assurance Monitoring (CAM) pressure differential ranges for various particulate matter control devices, and the modification of the mineral oil absorber temperature and flow rate requirements and the mineral oil condenser coolant temperature and flow rate requirements, at the soybean processing facility in Conoy Township, **Lancaster County**.

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

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

10-281P: II VI Inc. (375 Saxonburg Blvd., Saxonburg, PA 16056), on March 12, 2019 issued a Plan Approval for the installation and initial operation of an additional chemical vapor deposition furnace in Clinton Township, **Butler County**. This is a State Only facility.

43-373B: Ellwood Crankshaft & Machine (1161 N Sharpville Ave., Sharon, PA 16146), on March 15, 2019 issued a Plan Approval for the modification of plan approval 43-373A conditions with regards to eliminating the heat input and temperature ranges from the record keeping and testing requirements for furnaces in Sharon City, **Mercer County**. This is a Title V or State Only facility.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

46-0296A: Woot Services Inc. (4121 International Pkwy., Carrollton, TX 75007). On March 14, 2019, for the minor modification of the Plan Approval 46-0296A for the printing operation at 2455 Boulevard of the Generals, Norristown Borough, **Montgomery County**. The original

plan approval allowed for the installation of seventy-two (72) digital printers, four (4) UV printers, ten (10) sublimation printers, twenty (20) sublimation heat printers and eighteen (18) dryers. The proposed modification is to install four (4) different UV printers than was originally proposed.

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

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

49-00064B: Milton Sewer Regional Authority (5585 State Route 405, P.O. Box 433, Milton, PA 17847), on March 11, 2019, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from March 17, 2019 to September 12, 2019 at their facility located in West Chilisquaque Township, **Northumberland County**. The plan approval has been extended.

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

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

03-196B: National Fuel Gas Supply, Kaylor Compressor Station (6363 Main St., Williamsville, NY 14221) on March 13, 2019, effective March 31, 2019, has issued a plan approval extension for installation and temporary operation of one (1) enclosed ground flare in Sugar Creek Township, **Armstrong County**. This will expire on September 30, 2019.

16-132L: Clarion Boards (143 Fiberboard Rd., P.O. Box 340, Shipperville PA 16254), on March 14, 2019, effective March 31, 2019, has issued a plan approval extension for replacement of an existing Durr RTO with a new TANN RTO; replacement of existing boiler with new Ness Dust Burner; construction of new dryer with fiber sifter; installation of 2 high efficiency cyclones to replace Turbosonic scrubber; construction of 4 Jenbacher reciprocating engines; installation of a new surplus wood dust collection system; and limiting the exiting hot oil boilers at the Laminate Plant to emergency use in Paint Township, **Clarion County**. This is a Title V facility. This will expire on September 30, 2019.

62-176B: Lignetics of New England, Inc. (1075 E. South Boulder Rd., Suite 210, Louisville, CO 80027) on March 13, 2019, effective March 31, 2019, issued a plan approval extension for the modification of their existing rotary dryer (Source ID 101) with the replacement of the existing 22 MMBtu/hr capacity wood-fired burner with a 45 MMBtu/hr capacity wood-fired burner, and the replacement of the existing multi-cyclone device in Brokenstraw Township, **Warren County**. This expires September 30, 2019. This is a State Only facility.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

15-00061: Phoenixville Hospital Company, LLC (140 Nutt Road, Phoenixville, PA 19460) On March 18, 2019, for a renewal of the State Only Operating Permit for the operation of boilers and generators at the hospital located in Phoenixville Borough, **Chester County**.

46-00294: Crazy Aaron Enterprises, Inc. (710 E. Main Street, Norristown, PA 19401) On March 18, 2019, for an initial State Only Operating Permit for the operation of a manufacturing facility of novelty toy putty products in Norristown Borough, **Montgomery County**.

15-00130: Schramm, Inc., (800 East Virginia Avenue, West Chester, PA 19380-4430) On March 18, 2019, for a Renewal, Non-Title V Facility, State-Only, Synthetic Minor Permit for the design and manufacture of mobile drill rigs for water and mineral exploration in West Goshen Township, **Chester County**.

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

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

48-00049: FedChem, LLC (275 Keystone Drive, Bethlehem, PA 18020-9464) The Department issued, on 3/13/19, a State-Only (Natural Minor) Operating Permit renewal for operation of sources at an industrial organic chemicals manufacturing facility in Lower Nazareth Township, **Northampton County**. The permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

67-03045: ACCO Material Handing Solutions, Inc. (P.O. Box 792, York, PA 17405-0792) on March 6, 2019, for the hoist and crane component manufacturing facility located in York Township, **York County**. The State-only permit was renewed.

06-03078: Materion Brush, Inc. (P.O. Box 128, Shoemakersville, PA 19555-0128) on March 11, 2019, for the beryllium-copper alloy parts manufacturing facility located in Perry Township, **Berks County**. The State-only permit was renewed.

22-03002: Philadelphia Macaroni Co. (523 South 17th Street, Harrisburg, PA 17104-2220) on March 12, 2019, for the pasta manufacturing facility located in Harrisburg City, **Dauphin County**. The State-only permit was renewed.

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

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

14-00014: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823), issued State Only operating permit on March 8, 2019, for their Pleasant Gap facility located in Spring Township, **Centre County**. The facility's main sources include one 560 ton per hour counter flow drum mix asphalt concrete plant, one 350 tons per hour counter flow drum mix asphalt plant, a primary crushing operation, a secondary crushing operation, a limestone conveying system, a railcar loading operation, one 33,000-gallon oil tank, two 30,000 gallon

storage tanks, two 4.8 million gallon asphalt liquid tanks, three diesel powered portable crushing and screening plants, three waste oil heaters, two water pumps, one parts washers and site haul roads. This renewal permit also incorporates a crusher and several conveyors under primary crushing operation (Source ID P101) with potential particulate matter-PM₁₀ emissions under the de minimis emissions thresholds. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the renewal SMOP 14-00014.

41-00072: Reynolds Iron Works, Inc. (157 Palmer Industrial Road, Williamsport, PA 17701), on March 8, 2019, for their Williamsport facility located in Woodward Township, **Lycoming County**. The facility's main sources include a steel parts surface coating operation and one propane fired air makeup unit. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the renewal NMOP 41-00072.

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

Contact: Matt Williams, Facilities Permitting Chief, Telephone: 814-332-6940.

16-00035: Commodore Homes of PA (20898 Paint Blvd, Clarion, PA 16214). On March 11, 2019, the Department issued the renewal of the State Only Synthetic Minor Operating Permit for the mobile and modular home manufacturing facility located in Paint Township, **Clarion County**. The facility's primary emission sources include facility heaters, the adhesive and surface coating application processes, woodworking processes with particulate emissions controlled by cyclones and baghouses, drywall finishing, a parts washer, an emergency power generator, and an emergency water pump for fire suppression. The potential emissions of the primary pollutants from the facility after permit limitations are as follows: 2.42 TPY (tons per year) NO_x, 1.51 TPY CO, 49.00 TPY VOC, 6.38 TPY PM₁₀ and PM_{2.5}, and 0.07 TPY SO_x. The facility has elected to take an operation hour restriction of production to 2,500 hours per year on a 12-month rolling basis and a production limit of 5,500 units per calendar year, as well as a firm VOC restriction of 49 tons per year in order to ensure compliance with their synthetic minor status. The adhesive and surface coating processes are potentially subject to 25 Pa. Code §§ 129.52 and 129.52c for control of VOC emissions from surface coating processes. The parts washer is subject to 25 Pa. Code § 129.63 for degreasing operations. The emergency generator and water pump are subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Existing Emergency SI RICE and Existing Emergency CI RICE, respectively, at an Area Source of HAP. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

43-00343: Woodcraft Industries, Inc., (62 Grant Road, Greenville, PA 16125). On March 13, 2019, the Department issued a renewal to the State Only Operating Permit for the wood component production facility located in Pymatuning Township, **Mercer County**. The primary sources at the facility are a 14.33 million Btu/hr wood boiler, natural gas fueled space heaters, wood dryer, wood kilns, and rough mill operations. Potential Emissions for

the facility are as follows: 22.237 tpy PM₁₀; 0.105 tpy PM_{2.5}; 1.574 tpy SO_x; 6.986 tpy NO_x; 5.410 tpy VPC; and 9.481 tpy CO. The facility is a Natural Minor. The boiler is subject to 40 CFR Part 60 Subpart Dc, the NSPS for Small ICI Steam Generating Units, and 40 CFR Part 63 Subpart JJJJJ, the NESHAP for Area Source Boilers. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

62-00176: Lignetics of New England (1055 Matthews Run Rd, P.O. Box 193, Youngsville, PA 16371). On March 14, 2019, the Department issued the renewal of the State Only Natural Minor Operating Permit for the wooden pellet manufacturing facility located in Brokenstraw Township, **Warren County**. The facility's primary emission sources include the rotary dryer with a multi-cyclone, dry sawdust truck dumping controlled by a baghouse, green sawdust truck dumping, the metering bin, a hammermill, screening, (3) pellet mills, (3) storage silos, (2) 140,000 btu/hr wood pellet boilers, a 50,000 btu/hr wood pellet boiler, and a parts washer. The potential emissions of the primary pollutants from the facility after permit limitations are as follows: 30.71 TPY (tons per year) NO_x, 58.87 TPY CO, 20.35 TPY VOC, 65.82 TPY PM₁₀, 65.23 TPY PM_{2.5}, and 10.04 TPY SO_x; thus, the facility is a natural minor. The rotary dryer and multiclone are currently operating under plan approval 62-176B. The parts washer is subject to 25 Pa. Code § 129.63 for degreasing operations. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9476.

The City of Philadelphia, Air Management Services (AMS) has intended to issue a Minor State Only Operating Permit for the following facility:

OP18-000036: The Lits Building (701 Market Street, Philadelphia, PA 19106) for the operation of an establishment primarily engaged in leasing real property in the **City of Philadelphia**, Philadelphia County. The facility's air emission sources include two (2) boilers firing natural gas and No. 2 fuel oil during periods of natural gas curtailment each rated 7.938 MMBtu/hr, two (2) emergency generators firing diesel fuel each rated 800 kW or less, and one (1) fire pump firing diesel fuel rated 102.2 kW.

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

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

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

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

15-00142: Lavazza Professional North America, LLC (1301 Wilson Drive, West Chester, PA 19380) On March 14, 2019 the Operating Permit was amended for Lavazza Professional North America/East Goshen, a State Only facility located in East Goshen Township, **Chester County**. The Administrative Amendment reflects a Change in Ownership from Mars Drinks North America, LLC to Lavazza Professional North America, LLC. With the Change in Ownership, the responsible official and alternate responsible official were changed and Requests for Determination (RFD), 6687, 7497 and 7577 were incorporated.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

38-05003: Carmeuse Lime, Inc. (3 Clear Spring Road, Annville, PA 17003) on March 6, 2019, for the lime manufacturing facility in North Londonderry Township, **Lebanon County**. The Title V permit underwent a significant modification to add presumptive and case-by-case RACT 2 requirements for the facility, and to correct a non-RACT error in the Title V permit related to the control device associated with the dust silos and truck loadout. The portions of the permit related to approval of the RACT 2 case-by-case proposal will be submitted to US EPA for approval and incorporation into Pennsylvania's State Implementation Plan (SIP). Other requirements will be excluded from the SIP submittal.

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.

03801302 and NPDES No. PA0235385. Consol Mining Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To renew the permit for the Margaret No. 7 Mine Water Treatment Plant in Plumcreek and Cowanshannock Townships, **Armstrong County** for reclamation only. No additional discharges. The application was considered administratively complete on November 17, 2016. Application received: May 16, 2016. Permit issued: March 11, 2019.

30743711 and NPDES No. PA0033511. Cumberland Coal Resources, LP, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To renew the permit for the Cumberland Mine Coal Refuse Disposal Facility in Whiteley Township, **Greene County**. No additional discharges. The application was considered administratively complete on September 10, 2015. Application received: June 9, 2015. Permit issued: March 11, 2019.

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

17060113 and NPDES PA0256471. Black Cat Coal, LLC, (446 WM Cemetery Road, Curwensville, PA 16833). Permit revisions include change in land use from forestland to unmanaged natural habitat, revise Module 14 Wetland Mitigation/Replacement Plan, haul road release, and Sedimentation Pond D release of a bituminous surface coal and auger mine located in Brady Township, **Clearfield County** affecting 60.9 acres. Receiving stream(s): Unnamed Tributary to Stump Creek, Stump Creek, and Unnamed Tributary to Limestone Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: August 31, 2018. Permit issued: March 13, 2019.

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

Permit No. 54733020C3 and NPDES Permit No. PA0012360. BET Associates IV, LLC, (1233 East Broad Street, Tamaqua, PA 18252), correction of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation and NPDES Permit to include 2 new stormwater outfalls and 3 new mine drainage treatment outfalls all discharge to Panther Creek in Tamaqua, Coaldale, Lansford, Summit Hill and Nesquehoning Boroughs, **Schuylkill and Carbon Counties** affecting 7,596.4 acres, receiving streams: Little Schuylkill River and Panther Creek. Application received: July 5, 2011. Correction issued: March 14, 2019.

Permit No. 54733020C4. BET Associates IV, LLC, (1233 East Broad Street, Tamaqua, PA 18252), correction of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation to update the E&S Controls in Tamaqua, Coaldale, Lansford, Summit Hill and Nesquehoning Boroughs, **Schuylkill and Carbon Counties** affecting 7,596.4 acres, receiving streams: Little Schuylkill River and Panther Creek. Application received: July 5, 2011. Correction issued: March 14, 2019.

Permit No. 54733020R6 and NPDES Permit No. PA0012360. BET Associates IV, LLC, (1233 East Broad Street, Tamaqua, PA 18252), renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Tamaqua, Coaldale, Lansford, Summit Hill and Nesquehoning Bor-

oughs, **Schuylkill and Carbon Counties** affecting 7,596.4 acres, receiving streams: Little Schuylkill River and Panther Creek. Application received: February 23, 2015. Renewal issued: March 14, 2019.

Noncoal Permits Issued

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

Permit No. 31180301 and NPDES No. PA0279668, US Silica Company, 12942 Oriskany Road, Mapleton Depot, PA 17052, commencement, operation and restoration of a large noncoal (industrial minerals) mine, located in Brady Township, **Huntingdon County**, affecting 85.5 acres. Receiving stream: Mill Creek, classified for the following uses: trout stocked fishes & migratory fishes. There are no potable water supply intakes within 10 miles downstream. Application received: November 2, 2018. Permit issued: March 15, 2019.

Permit No. 21180801. Melvin Hostetler, 51 Country Line Lane, Newburg, PA 17240, commencement, operation, and restoration of a small noncoal (industrial mineral) operation in Hopewell Township, **Cumberland County**, affecting 5.0 acres, receiving streams: unnamed tributary to Paxton Run, Laughlin Run. Application received: September 7, 2018. Permit issued: March 15, 2019.

PAM418024-GP104. Melvin Hostetler, 51 County Line Lane, Newburg, PA 17240. General NPDES Permit for stormwater discharges associated with mining activities on Noncoal Permit No. 21180801 located in Hopewell Township, **Cumberland County**. Receiving streams: unnamed tributary to Paxton Run, Laughlin Run, classified for the following uses: Warm Water Fishes, Migratory Fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: September 7, 2018. Coverage Approved: March 15, 2019.

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

10161005. A. Liberoni, Inc. (459 Davidson Road, Pittsburgh, PA 15239). Final bond release for a small industrial mineral surface mine in Clinton Township, **Butler County**. Restoration of 5.0 acres completed. Receiving streams: Lardintown Run and Davis Run. Application Received: January 29, 2019. Final bond release approved: March 12, 2019.

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

Permit No. 7475SM5C6 and NPDES Permit No. PA0223522. Lehigh Cement Company, LLC, (7660 Imperial Way, Allentown, PA 18195), correction to an existing quarry operation to increase the discharge rate from NPDES Outfall 001 in Nazareth Borough and Upper Nazareth Township, **Northampton County**. Application received: May 9, 2018. Correction issued: March 13, 2019.

Permit No. 8073SM5C15 and NPDES Permit No. PA0013731. Gill Quarries, Inc., (P.O. Box 187, Fairview Village, PA 19409), correction to an existing quarry operation to add NPDES discharge point SP002 in East Norriton Township, **Montgomery County**. Application received: July 24, 2018. Correction issued: March 13, 2019.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

59194103. Valley Rock Solutions LLC (P.O. Box 246, Macungie, PA 18062). Blasting on a well pad located in Liberty Township, **Tioga County** with an expiration date of March 4, 2020. Permit issued: March 8, 2019.

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

Permit No. 36194109. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Sharp Shopper Warehouse in Clay Township, **Lancaster County** with an expiration date of August 30, 2019. Permit issued: March 12, 2019.

Permit No. 15194101. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for 1031 County Club Road in Birmingham Township, **Chester County** with an expiration date of March 1, 2020. Permit issued: March 13, 2019.

Permit No. 38194102. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Scenic Ridge Development in West Cornwall Township, **Lebanon County** with an expiration date of February 28, 2020. Permit issued: March 13, 2019.

Permit No. 46194102. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Mattison Estates in Upper Dublin Township, **Montgomery County** with an expiration date of March 1, 2020. Permit issued: March 13, 2019.

Permit No. 48194103. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Saucon Square in the City of Bethlehem, **Northampton County** with an expiration date of February 25, 2020. Permit issued: March 13, 2019.

Permit No. 46194103. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for the Enclave at Promenade in Upper Dublin Township, **Montgomery County** with an expiration date of April 1, 2020. Permit issued: March 15, 2019.

Permit No. 36194110. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for High Associates Retention Basin in Manheim Borough, **Lancaster County** with an expiration date of June 30, 2019. Permit issued: March 15, 2019.

Permit No. 36194111. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Carel USA Retention Pond in Manheim Township, **Lancaster County** with an expiration date of July 30, 2019. Permit issued: March 15, 2019.

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

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

E22-651: Millersburg Borough, 101 West Street, Millersburg, PA 17061 in Millersburg Borough, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain various park facilities, including a walking trail, a wood guide rail, a plaza, a pavilion, a parking lot extension, and a playground in the floodway of the Susquehanna River (WWF) permanently impacting 19,093 square feet of floodway for the purpose of improving outdated park facilities, better utilizing park features, increasing recreational opportunities for the community, and improving park safety and ADA access. The project is located along Myo Park Road near the intersection of PA-147N/N 2nd Street and Pearl Street,

Latitude: 40° 32' 6", Longitude: -76° 57' 58" in Millersburg Borough, Dauphin County. No wetlands will be impacted by this project. The permit was issued on March 14, 2019.

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

E56-390, Middlecreek Township Supervisors; 906 Barron Church Road, Rockwood, PA 15557; Middlecreek Township, **Somerset County;** Pittsburgh ACOE District.

Has been given consent to:

Remove an existing one lane, single span, steel I-beam bridge which carries SR 3039 over Allen Creek (HQ-CWF) in Middlecreek Township, Somerset County, PA. The existing bridge has a clear span of 9'5", a width of 14'8", and a vertical clearance of 5.65' at the upstream face. The project is to construct and maintain an aluminum box culvert in the same location as the existing bridge. The culvert will convey SR 3039 over Allen Creek (HQ-CWF) in Middlecreek Township, Somerset County, PA. The box culvert will have span of 16'4" and a vertical clearance of 5'11". Permanent impacts will consist of 105 linear feet of permanent stream impacts and 35 linear feet of temporary impacts. Mitigation will consist of depressing the box culvert so as to not interfere with aquatic organism passage. The project is located in Middlecreek Township, PA, Kingwood Quadrangle; Latitude 39° 59' 45"; Longitude -79° 16' 29" in Somerset County.

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

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

To construct, operate and maintain:

1. a 12 inch diameter temporary waterline impacting 44 square feet of an unnamed tributary to Towanda Creek floodway (CWF, MF) (Grover, PA Quadrangle, Latitude: 41° 37' 08", Longitude: -76° 52' 40");

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

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

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

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

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

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

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

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

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

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

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

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

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-3 # Palmer Pad—ESG30808519-001
 Applicant SWEPI, LP
 Contact Jason K Shoemaker
 Address 150 North Dairy Ashford Bldg E 12th Floor
 City Houston State TX Zip Code 77079
 County Mercer Township(s) Fairview
 Receiving Stream(s) and Classification(s) UNT to Neshan-
 nock Creek TSF

ESCGP-3 # F14-COP-I—ESX308047148-004
 Applicant Seneca Resources
 Contact Douglas Kepler
 Address 5800 Corporate Drive
 City Pittsburgh State PA Zip Code 15237
 County Elk Township(s) Fox
 Receiving Stream(s) and Classification(s) Sawmill Run
 CWF

*Eastern Region: Oil & Gas Management Program Man-
 ager, 208 West Third Street, Williamsport, PA 17701.*

ESCGP-2 # ESG29-105-15-0003(01)
 Applicant Name JKLM Energy, LLC
 Contact Person Scott Blauvelt
 Address 2200 Georgetowne Drive, Suite 500
 City, State, Zip Sewickley, PA 15143
 County Potter
 Township(s) Allegany Twp.
 Receiving Stream(s) and Classification(s) Primary Water-
 shed(s)—(1) Woodcock Creek (HQ-CWF) and (2) Gross
 Hollow (CWF).
 Secondary Watershed(s)—(1) and (2) Allegheny River
 (CWF).

ESCGP-3 # ESG32911718-001
 Applicant Name Pennsylvania General Energy Company,
 LLC
 Contact Person Doug Kuntz
 Address 120 Market Street
 City, State, Zip Warren, PA 16365
 County Tioga
 Township(s) Liberty Twp.
 Receiving Stream(s) and Classification(s) Salt Spring Run
 (EV)

**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.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
19-06-010	Sunoco Partners Marketing & Terminals, L.P. 525 Fritztown Road Sinking Spring, PA 19608 Attn: Jed Werner	Berks	Spring Township	2 ASTs storing biodiesel	67,680 gallons total

**CORRECTIVE ACTION UNDER
 ACT 32, 1989
 PREAMBLE 2**

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion 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 support-

ing the selection of residential or non-residential 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.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP 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 listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Bob Stricklands Auto Svc, 15-40450, 700 Main St, Phoenixville Borough, **Chester County**. Mulry CresswellEnvironmental, Inc., 1679 Horseshoe Pike, Glenmoore, PA 19343, on behalf of Thomas Carter, Carter Saab Services, 100 Nutt Rd, Phoenixville, PA 19460 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated

with petroleum products. The report is intended to document remediation of the site to meet a combination of site specific standards and Statewide health standards.

Fire Site 134, 51-20142, Kensington Avenue & Castor Avenue, **City of Philadelphia**. Oxford Engineering Company, 336 Point Street, Camden, NJ 08102, on behalf of The City of Philadelphia, Office of Fleet Management, 100 S. Broad Street, 3rd Floor, Philadelphia, PA 19125 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the site specific standard.

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

Don's Auto Sales & Service, Storage Tank ID # 54-06153, 640 Port Carbon-Saint Clair Highway, East Norwegian Township, **Schuylkill County**. Mountain Research, 825 25th Street, Altoona, PA 16601, on behalf of Donald Wall, 640 Port Carbon-Saint Clair Highway, Pottsville, PA 17901 has submitted a Remedial Action Plan concerning remediation of groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Turkey Hill Minit Markets # 307, Storage Tank Primary Facility ID # 36-06914, 2171 Columbia Avenue, Lancaster, PA 17603, East Hempfield Township, **Lancaster County**. Reliance Environmental, Inc., 235 N. Duke Street, Lancaster, PA 17602, on behalf of Turkey Hill Minit Markets, 257 Centerville Road, Lancaster, PA 17603 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard and the Site-Specific Standard.

Former SureHeat OFC, Storage Tank Primary Facility ID # 22-25108, 600 East Emaus Street, Middletown Borough, **Dauphin County**, Letterle & Associates, Inc., 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Middletown & Hummelstown Railroad, 136 Brown Street, Middletown, PA 17057, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Derrick 3, Storage Tank Primary Facility ID # 37-18421, 2785 West State Street, Union Township, **Lawrence County**, R.A.R. Engineering Group, Inc., 1135 Butler Avenue, New Castle, PA 16101, on behalf of Frenz Petroleum Corporation, 29 Orchard Way, New Castle, PA 16105 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, naphthalene, cumene, total xylenes, 1,2,4-trimethylbenzene, 1,3,4-trimethylbenzene, and methyl tert-butyl ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Kwik Fill S 16, Storage Tank Primary Facility ID # 43-22459, 1650 West Main Street Extension, Pine Township, **Mercer County**, Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of United Refining Company of PA, 814 Lexington Avenue, P.O. Box 688, Warren, PA 16365 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, cumene, naphthalene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, and methyl tertiary butyl ether (MTBE). The report is intended to document remediation of the site to meet the Statewide Health Standard.

Worthington Sunoco, Storage Tank Primary Facility ID # 03-80025, 15126 US Route 422, Worthington Borough, **Armstrong County**, Core Environmental Services, Inc., 3960 William Flynn Highway, Suite 100, Allison Park, PA 15101, on behalf of Worthington Sunoco, 15126 US Route 422, Suite A, Worthington, PA 16262-2502 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, cumene, methyl tertiary butyl ether (MTBE), naphthalene, toluene, xylenes, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Stahl Oil, Storage Tank Primary Facility ID # 56-81539, 659 Berlin Plank Road, Somerset, PA 15501-2417, Somerset Township, **Somerset County**. P. Joseph Lehman, Inc., Olde Farm Office Centre, P.O. Box 419, Hollidaysburg, PA 16648, on behalf of Stahl Oil Co. Inc., P.O. Box 773, Somerset, PA 15501-0773 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former BP Lower Burrell, Storage Tank Facility ID # 65-14181, 3201 Leechburg Road, Lower Burrell, PA 15068-2805, Lower Burrell City, **Westmoreland County**. Antea USA, Inc., 535 Route 38, Suite 203, Cherry Hill, NJ 08002, on behalf of BP Products North America, Inc., 201 Helias Way, Sixth Floor, Houston, TX 77079, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Statewide Health Standard, Used-Aquifer with Total Dissolved Solids greater than 2,500 mg/L.

Former Gulf Service Station/Tyke's Citgo, Storage Tank, Primary Facility ID # 02-37141 (Also 02-09226), 4020 William Penn Highway, Monroeville, PA 15146, Municipality of Monroeville, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668-1848, on behalf of Key Development Partners, LLC, Chicago, IL, submitted a Remedial Action Completion Report concerning the remediation of soil contaminated with petroleum products. The report is intended to document remediation of the site to meet Site-Specific Standards.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion 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 non-residential 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.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

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

Keystone State Fuel, 46-04819, 430 Main St., Schwenksville Borough, **Montgomery County**. Marathon Engineering & Environmental Services, Inc., 553 Beckett Rd, Ste 608, Swedesboro, NJ 08085, on behalf of Garden State Fuels, P.O. Box 249 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The remedial Action Completion Report demonstrated attainment of the residential Statewide Health Standard and was approved by the Department on March 8, 2019.

Fleet Site 015, 51-20186, 2601 W Glenwood Ave, **City of Philadelphia**. Oxford Engineering Company, 336 Point Street, Camden, NJ 08102, on behalf of City of Philadelphia, Office of Fleet Management, 100 S. Broad St., 3rd Floor, Philadelphia, PA 19125 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The

Remedial Action Plan was acceptable to meet site specific standards and was approved by the Department on March 15, 2019.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Hickory BP, Storage Tank Facility Primary ID # 63-09720, 221 Main Street, Hickory, PA 15340, Mount Pleasant Township, **Washington County**. Letterle & Associates, 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Coen Markets, Inc., 1000 Philadelphia Street, Canonsburg, PA 15317, submitted a Revised Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Revised Remedial Action Plan was acceptable to meet the Statewide health standard for soil and site-specific standard for groundwater and was approved by the Department on February 15, 2019.

BP Oil # 07421, Storage Tank Facility Primary ID # 63-14188, 201 West Lincoln Avenue, McDonald, PA 15057, **Washington County**. Parsons, 2443 Crowne Point Drive, Sharonville, OH 45241, on behalf of BP Products North America, 3343 Lapp Lane, Naperville, IL 60564, submitted a Remedial Action Completion Report Addendum concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report Addendum demonstrated attainment of the Statewide health standard and was approved by the Department on February 12, 2019.

Stop 22 Citgo, Storage Tank Facility Primary ID # 65-23315, 4180 William Penn Highway, Murrysville, PA 15668-1808, Municipality of Murrysville, **Westmoreland County**. Letterle & Associates, 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Stop 22 Inc., 4180 William Penn Highway, Murrysville, PA 15668-1808 submitted a combination Supplemental Site Characterization Report, Remedial Action Plan, and Remedial Action Completion Report Addendum concerning the remediation of soil and groundwater contaminated with petroleum products. The Supplemental Site Characterization Report, Remedial Action Plan, and Remedial Action Completion Report Addendum demonstrated attainment of the Statewide health standard for soil and site-specific standard for groundwater and was approved by the Department on February 12, 2019.

Former Canonsburg Supply & Equipment, Storage Tank Primary Facility ID # 63-80660, 1718 State Route 980, Canonsburg, PA 15317, Cecil Township, **Washington County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Canonsburg Supply & Equipment, 1718 State Route 980, Canonsburg, PA 15317 submitted a Remedial Action Completion Report Addendum concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report Addendum demonstrated attainment of the site-specific standard and was approved by the Department on March 12, 2019.

Monzak's Service Station, Storage Tank Primary Facility ID # 02-11100, 1704 Pennsylvania Avenue, West Mifflin, PA 15122, West Mifflin Borough, **Allegheny County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Professional Petroleum Properties, LLC, 1704 Pennsylvania Avenue, West Mifflin, PA 15122 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attain-

ment of the site-specific standard and was approved by the Department on March 12, 2019.

Silvas Amoco, Storage Tank Primary Facility ID # 63-09707, 1629 Route 481, Charleroi, PA 15022, Falowfield Township, **Washington County**. Letterle & Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Coen Markets, Inc., 1000 Philadelphia Street, Canonsburg, PA 15317, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard for soil and site-specific standard for groundwater and was approved by the Department on March 12, 2019.

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

Hermitage Self Serve Prima Store 5143, Storage Tank Primary Facility ID # 43-01191, 3229 East State Street, City of Hermitage, **Mercer County**, Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Shell Oil Products, U.S. 20945 South Wilmington Avenue, Carson, CA 90810 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, cumene, naphthalene, methyl tertiary butyl ether. The Remedial Action Completion Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on February 28, 2019.

Route 8 BP, Storage Tank Primary Facility ID # 25-26572, 5901 Wattsburg Road, Millcreek Township, **Erie County**, Insite Group, Inc., 611 S. Irvine Avenue, Sharon, PA 16146, on behalf of MKP Enterprises, Inc., P.O. Box 8326, Erie, PA 16505-0326 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, cumene, methyl tertiary butyl ether (MTBE), naphthalene, toluene and xylenes. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 15, 2019.

SPECIAL NOTICES

AIR QUALITY

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

TIV 35-00069: Lackawanna Energy Center LLC (1 South Wacker Drive, Suite 1800, Chicago, IL 60606) on February 22, 2019 for the initial Acid Rain Permit for the Lackawanna Energy Center Project located in Jessup Borough, **Lackawanna County**.

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

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

Notice of Proposed Revision to the State Implementation Plan for Volatile Organic Compounds, Notice of Public Hearing, and Notice of Intent to Issue Revised Air Quality Operating Permit # 24-00012

In accordance with 25 Pa. Code §§ 129.96—129.100, the Department of Environmental Protection (Department) has made a preliminary determination to approve an alternate Reasonably Available Control Technology (RACT II) plan and seeks approval of an amendment to the State Implementation Plan (SIP) for **GrafTech USA, LLC** for the facility in the City of St. Marys, **Elk County**. In accordance with 25 Pa. Code § 127.521, the Department intends to modify the Title V Operating Permit for the facility. The facility is located at 800 Theresia St., St. Marys, PA 15857-1831. The facility's representative to contact concerning this application is Lee A. Cunningham, Operations Manager, 814-781-2479.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997 National Ambient Air Quality Standard (NAAQS) and the 2008 NAAQS for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into the revised operating permit (24-00012) for the facility. The relevant RACT II requirements will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's SIP and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal.

The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to its potential to emit VOCs. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

The St. Marys facility produces graphite electrodes in a multi-step batch-type manufacturing process that includes the operation of twenty (20) longitudinal graphitizing (LG) furnaces (Source 187). Principal raw materials used in the manufacturing process include calcined petroleum coke and pitch binder, with minor amounts of other proprietary ingredients added to effect final product characteristics. Raw materials are sized, blended, and then formed into electrode shapes ("green" electrodes) by extrusion. The "green" electrodes are baked to form amorphous carbon electrodes which are then graphitized in the LG furnaces. The graphitized electrodes undergo several finishing steps to become the final product. The facility is subject to the following NSPS of 40 CFR Part 60: Subpart JJJJ for Stationary SI ICE. The facility is also subject to the following NESHAP of 40 CFR Part 63: Subpart ZZZZ for Stationary Reciprocating Internal Combustion Engines.

The following is a summary of the proposed amendments to the RACT II determination for this facility that will be submitted to the EPA as a SIP revision:

Source	RACT II Requirement
<p>186, Carbottoms (16)</p> <p>187, Longitudinal Graphitizers (20) Bldg 800</p>	<p><i>Testing Requirements</i></p> <p>a) Within twelve (12) to eighteen (18) months prior to the expiration of the facility's current operating permit (non-reoccurring), a stack test shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection. The stack test shall be performed while the aforementioned source is operating at its maximum achievable production rate. The stack test shall determine the overall VOC control efficiency (using EPA Method 25A as appropriate) at the outlet of the RTO (Source 186). The stack test shall determine the VOC emission rate per ton of carbon graphitized (using EPA Method 25A as appropriate) (Source 187).</p> <p>b) One paper copy plus one electronic copy of all source test submissions (notifications, protocols, reports, supplemental information, etc.) shall be sent to both PSIMS Administration in Central Office and to Regional Office AQ Program Manager.</p> <p>Paper copies shall be sent using the following mailing addresses:</p> <p>Central Office: Pennsylvania Department of Environmental Protection Attn: PSIMS Administrator P.O. Box 8468 Harrisburg, PA 17105-8468</p> <p>Northwest Regional Office: Pennsylvania Department of Environmental Protection Attn: Air Quality Program Manager 230 Chestnut St. Meadville, PA 16335</p> <p>Electronic copies shall be sent to the following e-mail addresses:</p> <p>Central Office: RA-EPstacktesting@pa.gov</p> <p>Northwest Regional Office: RA-EPNWstacktesting@pa.gov</p> <p>c) At least 90 days prior to performing a stack test, a protocol shall be submitted in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection. Submit the protocol via the instructions in (b). The protocol shall contain, at a minimum, location of sampling ports, planned production rates, and any other information applicable to the stack testing. Performing a stack test prior to Department approval of the protocol may invalidate the results.</p> <p>d) At least 2 weeks prior to the test, the Department shall be informed, in writing, of the date and time of the test.</p> <p>e) Within 60 days after completion of the test, the complete test report, including, but not limited to, production rates during testing, calculation methods and results, and any other applicable testing information that will allow for a complete review of the test and results, shall be submitted to the Department for approval. Submit the report via the instructions in (b).</p> <p>f) Actions Related to Noncompliance Demonstrated by a Stack Test:</p> <p>(1) When the results of a stack test performed in conformance with this Condition exceed the level specified in any condition of this approval, the Permittee shall take appropriate corrective actions. The Permittee shall submit a description of these corrective actions to the Department, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. The Department shall notify the Permittee within thirty (30) days, if the corrective actions taken are deficient. The Permittee shall submit a description of additional corrective actions taken to the Department within thirty (30) days of receipt of the notice of deficiency. The Department reserves the authority to use enforcement activities to resolve noncompliant stack tests.</p>

Source	<i>RACT II Requirement</i>
	(2) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to the Department that retesting in one hundred and twenty (120) days is not practicable, the Department may extend the retesting deadline. Failure of the second test to demonstrate compliance with the appropriate approval conditions may be grounds for immediate revocation of the approval to operate the affected facility.
186, Carbottoms (16)	<p data-bbox="553 407 873 438"><i>Recordkeeping Requirements</i></p> <p data-bbox="553 445 1497 527">The permittee shall calculate the twelve-month rolling total of actual VOC emissions from the source. The total calculated shall be maintained in a log and updated monthly.</p>
187, Longitudinal Graphitizers (20) Bldg 800	<p data-bbox="553 533 800 564"><i>Emission Restrictions</i></p> <p data-bbox="553 571 1497 632">(a) VOC emissions from Source 187 shall not exceed 94 tons in any 12 consecutive month period.</p> <p data-bbox="553 638 1497 720">(b) The permittee shall calculate the twelve-month rolling total of actual VOC emissions from the source. The total calculated shall be maintained in a log and updated monthly.</p> <p data-bbox="553 726 881 758"><i>Recordkeeping Requirements</i></p> <p data-bbox="553 785 1497 846">(a) The permittee shall maintain a Certificate of Analysis for each shipment of Coke.</p> <p data-bbox="553 852 873 884"><i>Work Practice Requirements</i></p> <p data-bbox="553 890 1341 921">(a) Coke with VOC content exceeding 3% shall not be brought on site.</p>

Public hearing. If requested, a public hearing will be held at 10 a.m. on May 7, 2019, to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, contact Matt Williams at 814-332-6131. The last day to pre-register to speak at a hearing, if one is held, will be April 30, 2019. If we do not receive any pre-registered speakers by this date, the hearing will be cancelled.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at <http://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>.

The Department asks that individuals contact Matt Williams, Air Quality Permitting Section Chief, at 814-332-6131 or monitor the website to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Matt Williams at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and 2 written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit 3 copies of a written statement and exhibits within 10 days thereafter to Eric A. Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

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 Eric A. Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. A 30-day comment period from March 30, 2019, 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 permit number 24-00012; and concise statements regarding the relevancy of the information or objections to issuance of the permit or the proposed RACT II Plan.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Appointments for scheduling a review may be made by calling the Department at 814-332-6078.

Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodations to do so should contact Virginia Cain, Environmental Community Relations Specialist, at 484-250-5808 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

ENVIRONMENTAL ASSESSMENT

Northcentral Regional Office, Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Location: State College Borough Water Authority, Ferguson Township, Centre County.

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. State College Borough Water Authority (SCBWA) proposes to construct a new membrane filter water treatment plant and related appurte-

nances. The proposal will consist of the replacement of the well pumps in the Nixon and Kocher Wells and the construction of a new treatment plant, including chemical addition, ultraviolet disinfection, membrane/GAC filtration, and 4-log inactivation of viruses.

Proposed State Water Quality Certification

Required by Section 401 of the Clean Water Act, and General Permit Registration Package, for the Supply Header Project Amendment # 2

Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, P.E., 412.442.4149.

WQ05-014-A2, Dominion Energy Transmission, Inc. (DETI) (Applicant), 5000 Dominion Boulevard, Glen Allen, VA 23060. Supply Header Project Second Amendment (Project), in the City of Murrysville and Salem Township, **Westmoreland County**, Pittsburgh ACOE District. The second project amendment includes changes along the 3.9 mile pipeline route, which starts northwest of Delmont (Slickville, PA Quadrangle; N: 40° 25' 22.66"; W: 79° 35' 32.22") and extends northwest to DETI's existing JB Tonkin Compressor Station (Murrysville, PA Quadrangle; N: 40° 27' 46.96"; W: 79° 38' 25.88").

The above referenced information relates to a second amendment to the Supply Header Project (Project) which was previously reviewed under DEP File No. WQ05-014, the history of which is detailed below:

Initial State Water Quality Certification for Project

On September 18, 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 Project (FERC Docket No. CP15-555-000). The FERC final Environmental Impacts Statement for the Project, which was issued on July 21, 2017, may be viewed on FERC's web site at www.ferc.gov (search eLibrary; Advanced Search; Access Number 20170721-3017).

On April 4, 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 will protect water quality in this Commonwealth through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

On November 21, 2017, State water quality certification was granted.

The previously approved Project (DEP File # WQ05-014) was described as follows:

The Project includes approximately 3.9 miles of 30-inch diameter natural gas pipeline loop (TL-636) adjacent to the Applicant's existing LN-25 pipeline (E65-800) in Westmoreland County. The project also includes modifications to the existing JB Tonkin Compressor Station in Westmoreland County and modifications to the existing Crayne Compressor Station in Greene County. The Project will require approximately 81.1 acres of earth disturbance, impacts to 1,143 linear feet of unnamed tributaries to Turtle Creek (TSF), Kemerer Hollow (HQ-CWF) and its unnamed tributaries, Steels Run (HQ-CWF) and its unnamed tributaries, and Haymakers Run (HQ-CWF) and its unnamed tributaries, 0.31 acre of floodway, 0.40 acre

of temporary wetland impacts (0.2 acre PEM/0.2 acre PFO), and 0.67 acre of permanent wetland impacts (0.23 acre PFO/0.44 acre PEM).

By order issued October 13, 2017, in Docket No. CP15-555-000 (Order), the Federal Energy Regulatory Commission (FERC) authorized Dominion Energy Transmission, Inc. to construct and operate its proposed Project subject to conditions specified in the Order. The Project includes the construction of pipeline, compression, and ancillary facilities.

State Water Quality Certification for First Amendment

FERC issued a notice to proceed for mechanized tree clearing and site grading at the JB Tonkin Compressor Station on February 12, 2018 (FERC Accession Number 20180212-3034). DETI intends to submit a variance to the FERC requesting the additional workspace included in this modification when all permit modification approvals have been received.

On March 29, 2018, 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 this Commonwealth through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

On September 26, 2018, State Water Quality Certification was granted for this project amendment. The previously approved Project Amendment (DEP File No. Q05-014-A1) was described as follows:

The Project Amendment included the addition of 2.74 acres of temporary workspace north of the existing JB Tonkin compressor Station in Murrysville Borough, Westmoreland County, (Murrysville, PA Quadrangle N: 40° 27' 51.13"; W: 79° 38' 26.47"). The area has been surveyed for wetlands and waterbodies and no features were identified. Therefore, no additional direct stream or wetland impacts are proposed. UNT to Haymakers Run (HQ-CWF) is adjacent to the site but will not be impacted by the additional temporary workspace as long as all required Erosion and Sedimentation controls are properly implemented.

Current Request for Multiple Authorizations for Second Project Amendment

On November 1, 2018, 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 this Second Project Amendment will protect water quality in this Commonwealth through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

In addition, the Applicant submitted a General Permit Registration Package, seeking acknowledgement from DEP, of the Applicant's use of General Permits No. 5, 7 and 8 (GP056505219-001, GP076505219-001, GP086505219-001), to construct and maintain several utility line stream crossings, minor road crossings and temporary road crossings, respectively, in accordance with the Departments Chapter 105 rules and regulations.

On March 21, 2019, the Department received an application for an ESCGP-3 Permit (File No. ESG 00 129 17 0001 (1)), after it was deemed to be complete by the Westmoreland Conservation District.

The Second Project Amendment, as proposed, includes a new access road, pipeline center line adjustments, and adjusted construction workspace in various locations. These proposed changes will result in the following adjustments to the project's overall, cumulative impacts: 0.66 acre of permanent wetland impacts (net decrease of 0.01 acre), including conversion impacts to 0.16 acre of PFO wetland (net decrease of 0.07 acre), 0.43 acre of temporary wetland impacts (net increase of 0.03 acre), 889 linear feet (lf) of permanent impacts to watercourses from pipeline utility line crossings (net decrease of 34 lf), 1,648 lf of temporary impacts to watercourses from pipeline utility line crossings (net decrease of 78 lf), and 220 linear feet (lf) of permanent impacts to watercourses from access road crossings (net decrease of 18 lf).

The Department is proposing to issue a State water quality certification to Applicant for the Project 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 proce-

dures, 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 thirty (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 Department of Environmental Protection, Program Manager, Waterways and Wetlands Program, 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, P.E., Waterways and Wetlands Program Manager at the previously listed 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.

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

Notice is hereby given that the Department of Environmental Protection has requested a Stage 3 (FINAL) Bond Release for Coal Mining Activity Permit Number 35A77SM4 (Cross Mine) which was originally issued on September 09, 1977. This release is being requested pursuant to the Surface Mining Conservation and Reclamation Act.

The reclaimed mine site for which the bond release is being requested consists of 7.5 acres and is located on the current Buffalo Valley LTD property in East Franklin Township, Armstrong County. The mine site is located at the intersection of Sotos Road and T530 as shown on the Kittanning 7.5-minute USGS topo map. Bond release is being requested for \$3,085.00 on 7.5 acres. The Stage 3 area has been revegetated for over five years and is capable of supporting the post-mining land use.

Written comments, objections or a request for a public hearing or informal conference may be submitted to the Department of Environmental Protection, New Stanton District Office, 131 Broadview Road, New Stanton, PA 15672 within thirty (30) days from the date of the final (4th) publication of this notice and must include the person's name, address, telephone number and a brief description as to the nature of the objections.

[Pa.B. Doc. No. 19-458. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at www.elibrary.dep.state.pa.us. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should contact the person whose name and phone number is listed with each document.

Draft TGD: Substantive Revision

DEP ID: 563-2112-217. Title: Alkaline Addition for Surface Coal Mines. **Description:** This guidance explains the situations where alkaline addition at surface coal mine sites is appropriate and describes the options and procedures for operators to maintain and achieve compliance with environmental protection standards including calcu-

lation of application rates and placement of alkaline material. The existing TGD has not been updated since 1997. The Department's experience in issuing permits with alkaline addition over the last 20 years has led to this update. Three areas of focus are: 1) best practices regarding location and mixing of the alkaline material; 2) use of coal ash and coproducts/general permits for alkaline addition; and 3) updating the process of determining target net neutralization potential required for a site.

Written Comments: Interested persons may submit written comments on this draft TGD by Monday, April 29, 2019. All comments, including comments submitted by e-mail must include the originator's name and address. Commentators are encouraged to submit comments using the Department's online eComment tool at www.ahs.dep.pa.gov/eComment or by e-mail to ecomment@pa.gov. Written comments can also be submitted to the Technical Guidance Coordinator, Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063.

Contact: Questions regarding this TGD can be directed to Greg Greenfield at grgreenfie@pa.gov or (717) 787-3174.

Effective Date: Upon publication as final in the *Pennsylvania Bulletin*.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-459. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OOGM 18-4, Cleaning Out and Plugging One Abandoned Oil and Gas Well, Fairview Township, Butler County. The principal items of work and approximate quantities include the following: clean out and plug one abandoned oil and gas well, estimated to be 3,000 feet in depth, to Department of Environmental Protection (Department) specifications; prepare and restore well sites/site; and mobilize and demobilize plugging equipment.

This bid issues on April 12, 2019, and bids will be opened on May 16, 2019, at 2 p.m. Bid documents may be downloaded for free beginning on the issue date from the Department by going to www.BidExpress.com. A mandatory prebid conference is scheduled for April 25, 2019, at 10 a.m. at Edward C. McCullough Recreation Park at the Karns City Ballfield located along Park Drive off of Main Street (Route 268) in Karns City. Failure to attend the prebid conference will be cause for rejection of the bid. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-460. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Extension of General Permit for the Beneficial Use of Biosolids by Land Application (PAG-08)

Under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1387), The Clean Streams Law (35 P.S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current General Permit for the Beneficial Use of Biosolids by Land Application (PAG-08).

The existing PAG-08 General Permit in effect at this time will expire on April 2, 2019. By this notice, the Department is administratively extending the PAG-08 General Permit to April 2, 2020, or the date of final renewal as published, whichever is earlier. Persons that are operating under the existing PAG-08 General Permit may continue to operate under its terms until the date of final renewal is published. Persons that have coverage beyond the final renewal publication date as identified on their coverage approval page may continue to operate until that later date under the terms of the renewed PAG-08. Persons whose coverage expires or persons seeking new coverage during the extension period may submit a Notice of Intent for the Department's review in accordance with the procedures set forth in PAG-08 to obtain renewed or new coverage under the permit.

To access the General Permit and related documents, visit www.dep.pa.gov (select "eLibrary" under the "Data and Tools" heading, then "Permit and Authorization Packages," then "Point and Non-Point Source Management").

Questions regarding the PAG-08 General Permit should be directed to Jay Patel at jaypatel@pa.gov or (717) 787-5017.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-461. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Extension of General Permit for the Beneficial Use of Exceptional Quality Biosolids by Land Appli- cation (PAG-07)

Under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1387), The Clean Streams Law (35 P.S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current

General Permit for the Beneficial Use of Exceptional Quality Biosolids by Land Application (PAG-07).

The existing PAG-07 General Permit in effect at this time will expire on April 2, 2019. By this notice, the Department is administratively extending the PAG-07 General Permit to April 2, 2020, or the date of final renewal as published, whichever is earlier. Persons that are operating under the existing PAG-07 General Permit may continue to operate under its terms until the date of final renewal is published. Persons that have coverage beyond the final renewal publication date as identified on their coverage approval page may continue to operate until that later date under the terms of the renewed PAG-07. Persons whose coverage expires or persons seeking new coverage during the extension period may submit a Notice of Intent for the Department's review in accordance with the procedures set forth in PAG-07 to obtain renewed or new coverage under the permit.

To access the General Permit and related documents, visit www.dep.pa.gov (select "eLibrary" under the "Data and Tools" heading, then "Permit and Authorization Packages," then "Point and Non-Point Source Management").

Questions regarding the PAG-07 General Permit should be directed to Jay Patel at jaypatel@pa.gov or (717) 787-5017.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-462. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Extension of General Permit for the Beneficial Use of Residential Septage by Land Application (PAG-09)

Under the authority of the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1388), The Clean Streams Law (35 P.S. §§ 691.1—691.1001), sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current General Permit for the Beneficial Use of Residential Septage by Land Application (PAG-09).

The existing PAG-09 General Permit in effect at this time will expire on April 2, 2019. By this notice, the Department is administratively extending the PAG-09 General Permit to April 2, 2020, or the date of final renewal as published, whichever is earlier. Persons that are operating under the existing PAG-09 General Permit may continue to operate under its terms until the date of final renewal is published. Persons that have coverage beyond the final renewal publication date as identified on their coverage approval page may continue to operate until that later date under the terms of the renewed PAG-09. Persons whose coverage expires or persons seeking new coverage during the extension period may submit a Notice of Intent for the Department's review in accordance with the procedures set forth in PAG-09 to obtain renewed or new coverage under the permit.

To access the General Permit and related documents, visit www.dep.pa.gov (select “eLibrary” under the “Data and Tools” heading, then “Permit and Authorization Packages,” then “Point and Non-Point Source Management”).

Questions regarding the PAG-09 General Permit should be directed to Jay Patel at jaypatel@pa.gov or (717) 787-5017.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-463. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Emergency Medical Services Patient Care Report Data Elements, Confidential and Nonconfidential Data Elements and Essential Patient Information for Transmission at Patient Transfer

Under 28 Pa. Code § 1021.41 (relating to EMS patient care reports) the Department of Health (Department) is publishing the following: (a) a list of data elements and form specifications for the emergency medical services (EMS) patient care report (PCR); (b) requirements that a prospective vendor must satisfy to secure endorsement of the vendor’s software by the Bureau of Emergency Medical Services (Bureau); and (c) a designation of data items for the PCR that are confidential.

(A) *Data Elements and Form Specifications.* The following standards must be met for an EMS data collection software program to satisfy the requirements for electronic PCR reporting:

1. A prospective or currently approved vendor software must be capable of collecting and reporting data in the format detailed in the National Emergency Medical Services Information System (NEMSIS) Data Dictionary at the most current version, as published by the National Highway Traffic Safety Administration. Information on NEMSIS is published at www.nemsis.org. Prospective vendors and approved vendors are encouraged to contact the NEMSIS Technical Assistance Center (TAC) for issues regarding the NEMSIS reporting requirements. Software marketed to Commonwealth EMS agencies must be capable of collecting and reporting all NEMSIS elements. Prospective vendors and currently approved vendors must use the Commonwealth specific data files as published on the NEMSIS web site. The Bureau will maintain a list of required fields, codes and resources on the NEMSIS webpage.

2. A PCR data collection software program must satisfy the following:

i. It must be capable of recording all data elements identified in the Pennsylvania Data Dictionary, which can be found on the NEMSIS web site. Additionally, the software must have the ability to error check PCRs using the NEMSIS Data Dictionary published on the NEMSIS web site.

ii. It must connect and transmit to the State data bridge through approved formats that align with NEMSIS versioning standards at the date of connection.

iii. It must be able to collect and print narrative.

iv. It must allow for the ambulance service to make corrections when data elements are omitted or when an error occurred when the form was initially completed.

v. It must annotate additions and corrections made to the PCR by identifying what data element was added or changed, the date of change and who made the change.

vi. It must assign a specific PCR Number (NEMSIS Field eRecord.01 or the most current identifier for the PCR Number) to each PCR and prevent duplication of this identifier.

3. A prospective vendor must assist EMS agencies in setting up software and validate that PCR data created by the software being proposed will be compliant with the “Required Data Elements” on the EMS PCR Data and Information Chart.

4. A prospective vendor must coordinate with a regional EMS council that is willing to conduct a test of the software program using ten PCRs previously submitted to the NEMSIS TAC.

The test will include:

- i. Printing of the ten PCRs.
- ii. Printing a list of the data elements collected.
- iii. Printing reports that identify unit utilization for:
 - a. Response outcome, hour/day of week.
 - b. Fractal time.
 - c. Municipal response for the test site.
- iv. Printing the following reports:
 - a. Incident location/type report with number of calls and percentage of calls.
 - b. Trauma summary.
 - c. Revised trauma scores.
 - d. Glasgow coma scale.
 - e. Medical summary.
 - f. EKG.
 - g. Treatment summary.
 - h. Admission summary.
 - i. BLS and ALS skills report for each practitioner.
 - j. BLS and ALS skills report for each beta test site.
 - k. Demographics summary (age, gender, total).
 - l. Vital signs summary (ranges, systolic, diastolic, pulse, respiration).
 - m. Attendant activity.
- v. Printing output files of data elements to include:
 - a. Field number.
 - b. Field name.
 - c. Number of fields for each field name.
 - d. Type of field (that is, numeric, blanks stored as “0,” mm/dd/yyyy, character and acceptable field values).

5. A prospective vendor must request and secure a determination of software compliance from the Bureau. Upon receipt of this request, the Bureau will notify the prospective vendor of reports and information that the prospective vendor must submit to the Bureau to secure a determination of compliance.

(B) *Bureau Endorsement of Software.* To secure endorsement of the software by the Bureau, in addition to securing a determination of compliance from the Bureau, a prospective vendor must do the following:

1. Agree, in writing, to make changes to the software program at no cost to the EMS agency if the change is the addition of additional data elements included in the most current NEMESIS Data Dictionary version.

2. Agree, in writing, to provide to the Bureau and to Commonwealth licensed EMS agencies using the vendor's software, 30-days advance notice before selling the program source code or company or going out of business. The prospective vendor must further agree, in writing, that if circumstances prevent the prospective vendor from meeting the 30-day notice requirement, the vendor will provide input specifications and the source code for the software program to the Bureau at no cost.

(C) *Confidential PCR Data Elements.* Under 28 Pa. Code § 1021.42 (relating to dissemination of information) the release of the PCR, disclosure of confidential information in the PCR or a report or record thereof, is prohibited except as authorized under 28 Pa. Code § 1021.42(a)(1)–(8). The Department has the authority under 28 Pa. Code § 1021.42(b) to designate some of the information in the PCR as nonconfidential but has chosen not to do so at this time. Consequently, the PCR is confidential in its entirety, and all information in the PCR is subject to the disclosure restrictions in 28 Pa. Code § 1021.42(a). The Bureau and the regional EMS councils will, however, release aggregate data extracted from PCRs.

(D) *Patient Information Required to be Transmitted to Hospital at Time of Patient Delivery.* Under 28 Pa. Code § 1021.41(c) an EMS agency is to provide to the individual at the hospital assuming responsibility for the patient the patient information designated in the PCR as essential for immediate transmission to personnel for patient care. The Bureau encourages EMS agencies to transmit immediately to the facility all information solicited by the PCR, including the narrative section. If the EMS agency does not provide all the information solicited by the PCR at the time the hospital or facility assumes care, essential information that must be transmitted are the items listed on the EMS PCR Data and Information Chart. The information shall be transmitted verbally, and in writing, or electronically in a format (developed by the hospital or other entity) that the hospital finds acceptable to ensure the confidentiality of information designated as confidential in the PCR form.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape or Braille) should contact Aaron M. Rhone, Department of Health, Bureau of Emergency Medical Services, 1130 Elmerton Avenue, Harrisburg, PA 17110, (717) 787-8740 or for speech or hearing impaired persons call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 19-464. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Special Pharmaceutical Benefits Program Advisory Council Public Meeting

The Statewide Special Pharmaceutical Benefits Program (SPBP) Advisory Council, established by the De-

partment of Health (Department) to aid in the carrying out of its Federal grant responsibilities under section 2616 of the Ryan White Comprehensive AIDS Resource Emergency Act of 1990 (42 U.S.C.A. § 300ff-26), will hold a public meeting on Thursday, April 25, 2019, from 10 a.m. to 3 p.m. at the Radisson Hotel Harrisburg, 1150 Camp Hill Bypass, Camp Hill, PA 17011.

The SPBP Advisory Council will provide program guidance and recommendations to the Department's SPBP in regard to the following: drug formulary; covered lab services; drug utilization review; clinical programs; eligibility; and program management.

For additional information, contact John Haines, Special Pharmaceutical Benefits Program, Bureau of Communicable Diseases, Department of Health, Room 611, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (800) 922-9384.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact John Haines, Special Pharmaceutical Benefits Program, Bureau of Communicable Diseases, Department of Health, Room 611, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (800) 922-9384, or for speech or hearing impaired persons call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

This meeting is subject to cancellation without prior notice.

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 19-465. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices and Competitive Prices

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery methods), the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective April 1, 2019, through June 30, 2019, the Maximum Allowable Prices the Department of Health (Department) will pay Type 1 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.....	\$1.35
Beans/Peas—Dry—16 oz.....	\$2.18
Canned Fish—Pink Salmon.....	\$2.20
Canned Fish—Sardines.....	\$1.50

<i>Description</i>	<i>Maximum Allowable Price</i>
Canned Fish—Tuna	\$1.29
Cereal (per oz.)	\$0.33
Cheese, 16 oz.	\$7.31
Eggs	\$2.35
Infant Cereal—8 oz.	\$2.55
Infant Fruits, 100%—4 oz.	\$1.07
Infant Vegetables, 100%—4 oz.	\$1.07
Infant Meats, 100%—2.5 oz.	\$1.16
Juice—11.5/12 oz.	\$2.76
Juice—48 oz.	\$3.45
Juice—64 oz.	\$4.19
Kosher Cheese—16 oz.	\$8.40
Kosher Lowfat and 2% Milk—quart	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon	\$3.27
Kosher Whole Milk—quart	\$1.80
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.27
Milk, Dry—25.6 oz.	\$9.55
Milk, Evaporated—12 oz.	\$1.53
Milk, Lowfat and 2%—quart	\$1.36
Milk, Lowfat and 2%—1/2 gallon	\$2.29
Milk, Lowfat and 2% Lactose Free—quart	\$2.42
Milk, Lowfat and 2% Lactose Free—1/2 gallon	\$4.09
Milk, Whole—quart	\$1.45
Milk, Whole—1/2 gallon	\$2.29
Milk, Whole Lactose Free—quart	\$2.67
Milk, Whole Lactose Free—1/2 gallon	\$4.19
Peanut Butter—16—18 oz.	\$3.29
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.29
Soy Beverage—8th Continent 64 oz.	\$3.89
Tofu—16 oz.	\$2.57
Whole Grain—Bread, 16 oz.	\$3.49
Whole Grain—Bread, 24 oz.	\$3.95
Whole Grain—Brown Rice, 16 oz.	\$1.80
Whole Grain—Brown Rice, 24 oz.	\$3.32
Whole Grain—Oats, 16 oz.	\$2.44
Whole Grain—Oats, 24 oz.	\$5.39
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.57
Whole Wheat Pasta	\$1.37
Yogurt Nonfat	\$3.30
Yogurt Lowfat	\$3.30
Yogurt Wholefat	\$3.40
Boost RTF Formula—8 oz.	\$1.79
EnfaCare RTF Formula—32 oz.	\$7.30
EnfaCare w/Iron Powder Formula—12.8 oz.	\$18.00
Nutramigen Concentrate Formula—13 oz.	\$7.59
Nutramigen RTF Formula—32 oz.	\$10.39
Nutramigen w/Enflora Powder Formula—12.6 oz.	\$26.40
Pediasure RTF Formula—8 oz.	\$1.93
Pediasure w/Fiber RTF Formula—8 oz.	\$2.09
Pediasure Sidekicks RTF Formula—8 oz.	\$1.95
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.45
Similac Advance RTF Formula—Blue—32 oz.	\$7.65
Similac Advance Powder Formula—Blue—12.4 oz.	\$16.36
Similac Expert Care Alimentum RTF Formula—32 oz.	\$10.39
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$28.39
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$7.99
Similac Expert Care NeoSure RTF Formula—32 oz.	\$8.95

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$18.29
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$22.49
Similac for Spit Up RTF Formula—Green—32 oz.	\$8.05
Similac for Spit Up Powder Formula—Green—12.0 oz.	\$17.19
Similac Sensitive RTF Formula—Orange—32 oz.	\$7.49
Similac Sensitive Powder Formula—Orange—12.0 oz.	\$16.59
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.51
Similac Soy Isomil RTF Formula—Pink—32 oz.	\$8.09
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$16.69
Similac Total Comfort Powder Formula—Purple—12.0 oz.	\$16.69

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustment).

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2019, through June 30, 2019, the Competitive Prices for WIC Authorization for Type 1 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.29
Beans/Peas—Dry—16 oz.	\$1.98
Canned Fish—Pink Salmon	\$2.19
Canned Fish—Sardines	\$1.43
Canned Fish—Tuna	\$1.19
Cereal (per oz.)	\$0.31
Cheese, 16 oz.	\$6.84
Eggs	\$2.29
Infant Cereal—8 oz.	\$2.44
Infant Fruits, 100%—4 oz.	\$0.94
Infant Vegetables, 100%—4 oz.	\$0.94
Infant Meats, 100%—2.5 oz.	\$1.15
Juice—11.5/12 oz.	\$2.59
Juice—48 oz.	\$3.30
Juice—64 oz.	\$3.79
Kosher Cheese—16 oz.	\$7.79
Kosher Lowfat Milk—1/2 gallon	\$3.15
Kosher Whole Milk—1/2 gallon	\$3.19
Milk, Lowfat—1/2 gallon	\$2.15
Milk, Whole—1/2 gallon	\$2.22
Peanut Butter—16—18 oz.	\$3.20
Whole Grain—Bread, 16 oz.	\$3.35
Whole Grain—Brown Rice, 16 oz.	\$1.69
Whole Grain—Oats, 16 oz.	\$2.39
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.43
Whole Wheat Pasta	\$1.35

<i>Description</i>	<i>Competitive Prices</i>
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.35
Similac Advance Powder Formula—Blue— 12.4 oz.	\$16.36
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.51
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$16.69

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective April 1, 2019, through June 30, 2019, the Maximum Allowable Prices the Department will pay Type 2 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.45
Beans/Peas—Dry—16 oz.	\$2.26
Canned Fish—Pink Salmon.	\$2.26
Canned Fish—Sardines.	\$1.59
Canned Fish—Tuna.	\$1.35
Cereal (per oz.)	\$0.34
Cheese, 16 oz.	\$7.33
Eggs.	\$2.45
Infant Cereal—8 oz.	\$2.65
Infant Fruits, 100%—4 oz.	\$1.10
Infant Vegetables, 100%—4 oz.	\$1.10
Infant Meats, 100%—2.5 oz.	\$1.22
Juice—11.5/12 oz.	\$2.91
Juice—48 oz.	\$3.59
Juice—64 oz.	\$4.48
Kosher Cheese—16 oz.	\$8.40
Kosher Lowfat and 2% Milk—quart.	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon.	\$3.27
Kosher Whole Milk—quart.	\$1.80
Kosher Whole Milk—1/2 gallon.	\$3.37
Milk, Dry—9.6 oz.	\$4.46
Milk, Dry—25.6 oz.	\$9.65
Milk, Evaporated—12 oz.	\$1.63
Milk, Lowfat and 2%—quart.	\$1.42
Milk, Lowfat and 2%—1/2 gallon.	\$2.32
Milk, Lowfat and 2% Lactose Free—quart.	\$2.52
Milk, Lowfat and 2% Lactose Free—1/2 gallon.	\$4.29
Milk, Whole—quart.	\$1.50
Milk, Whole—1/2 gallon.	\$2.49
Milk, Whole Lactose Free—quart.	\$2.76
Milk, Whole Lactose Free—1/2 gallon.	\$4.39
Peanut Butter—16—18 oz.	\$3.49
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.35
Soy Beverage—8th Continent 64 oz.	\$3.99
Tofu—16 oz.	\$2.62
Whole Grain—Bread, 16 oz.	\$3.55
Whole Grain—Bread, 24 oz.	\$4.00
Whole Grain—Brown Rice, 16 oz.	\$1.95
Whole Grain—Brown Rice, 24 oz.	\$3.39
Whole Grain—Oats, 16 oz.	\$2.55
Whole Grain—Oats, 24 oz.	\$5.89
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.59

<i>Description</i>	<i>Maximum Allowable Price</i>
Whole Wheat Pasta.	\$1.64
Yogurt Nonfat.	\$3.35
Yogurt Lowfat.	\$3.35
Yogurt Wholefat.	\$3.45
Boost RTF Formula—8 oz.	\$1.85
EnfaCare RTF Formula—32 oz.	\$7.44
EnfaCare w/Iron Powder Formula—12.8 oz.	\$18.04
Nutramigen Concentrate Formula—13 oz.	\$7.65
Nutramigen RTF Formula—32 oz.	\$10.49
Nutramigen w/Enflora Powder Formula— 12.6 oz.	\$26.45
Pediasure RTF Formula—8 oz.	\$1.99
Pediasure w/Fiber RTF Formula—8 oz.	\$2.15
Pediasure Sidekicks RTF Formula—8 oz.	\$2.04
Similac Advance Concentrate—Blue Formula— 13 oz.	\$5.50
Similac Advance RTF—Blue Formula—32 oz.	\$7.75
Similac Advance Powder—Blue Formula— 12.4 oz.	\$16.48
Similac Expert Care Alimentum RTF Formula— 32 oz.	\$10.49
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$28.79
Similac Expert Care for Diarrhea RTF Formula— 32 oz.	\$8.09
Similac Expert Care NeoSure RTF Formula— 32 oz.	\$9.07
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$18.49
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$22.55
Similac for Spit Up RTF Formula—Green— 32 oz.	\$8.15
Similac for Spit Up Powder Formula—Green— 12.0 oz.	\$17.49
Similac Sensitive RTF Formula—Orange—32 oz.	\$7.70
Similac Sensitive Powder Formula—Orange— 12.0 oz.	\$16.79
Similac Soy Isomil Concentrate—Pink Formula— 13 oz.	\$5.69
Similac Soy Isomil RTF—Pink Formula—32 oz.	\$8.29
Similac Soy Isomil Powder—Pink Formula— 12.4 oz.	\$16.99
Similac Total Comfort Powder Formula—Purple— 12.0 oz.	\$16.79

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2019, through June 30, 2019, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.30
Beans/Peas—Dry—16 oz.	\$2.10
Canned Fish—Pink Salmon.	\$2.25

Description	Competitive Prices
Canned Fish—Sardines	\$1.49
Canned Fish—Tuna	\$1.27
Cereal (per oz.)	\$0.32
Cheese, 16 oz.	\$6.86
Eggs	\$2.39
Infant Cereal—8 oz.	\$2.50
Infant Fruits, 100%—4 oz.	\$0.99
Infant Vegetables, 100%—4 oz.	\$0.99
Infant Meats, 100%—2.5 oz.	\$1.20
Juice—11.5/12 oz.	\$2.72
Juice—48 oz.	\$3.37
Juice—64 oz.	\$4.05
Kosher Cheese—16 oz.	\$7.89
Kosher Lowfat Milk—1/2 gallon	\$3.19
Kosher Whole Milk—1/2 gallon	\$3.25
Milk, Lowfat—1/2 gallon	\$2.19
Milk, Whole—1/2 gallon	\$2.25
Peanut Butter—16—18 oz.	\$3.30
Whole Grain—Bread, 16 oz.	\$3.39
Whole Grain—Brown Rice, 16 oz.	\$1.79
Whole Grain—Oats, 16 oz.	\$2.49
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.45
Whole Wheat Pasta	\$1.60
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.40
Similac Advance Powder Formula—Blue—12.4 oz.	\$16.48
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.69
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$16.99

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective April 1, 2019, through June 30, 2019, the Maximum Allowable Prices the Department will pay Type 3 Stores in Regular Cost Counties for WIC allowable foods are as follows:

Description	Maximum Allowable Price
Beans, Canned—15.5/16 oz.	\$1.47
Beans/Peas—Dry—16 oz.	\$2.35
Canned Fish—Pink Salmon	\$2.30
Canned Fish—Sardines	\$1.65
Canned Fish—Tuna	\$1.40
Cereal (per oz.)	\$0.36
Cheese, 16 oz.	\$7.35
Eggs	\$3.05
Infant Cereal—8 oz.	\$2.70
Infant Fruits, 100%—4 oz.	\$1.15
Infant Vegetables, 100%—4 oz.	\$1.15
Infant Meats, 100%—2.5 oz.	\$1.27
Juice—11.5/12 oz.	\$2.96
Juice—48 oz.	\$3.70
Juice—64 oz.	\$4.57
Kosher Cheese—16 oz.	\$8.40
Kosher Lowfat and 2% Milk—quart	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon	\$3.30

Description	Maximum Allowable Price
Kosher Whole Milk—quart	\$1.80
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.55
Milk, Dry—25.6 oz.	\$9.75
Milk, Evaporated—12 oz.	\$1.70
Milk, Lowfat and 2%—quart	\$1.47
Milk, Lowfat and 2%—1/2 gallon	\$2.62
Milk, Lowfat and 2% Lactose Free—quart	\$2.59
Milk, Lowfat and 2% Lactose Free—1/2 gallon	\$4.39
Milk, Whole—quart	\$1.57
Milk, Whole—1/2 gallon	\$2.69
Milk, Whole Lactose Free—quart	\$2.86
Milk, Whole Lactose Free—1/2 gallon	\$4.49
Peanut Butter—16—18 oz.	\$3.59
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.45
Soy Beverage—8th Continent 64 oz.	\$4.16
Tofu—16 oz.	\$2.72
Whole Grain—Bread, 16 oz.	\$3.63
Whole Grain—Bread, 24 oz.	\$4.07
Whole Grain—Brown Rice, 16 oz.	\$2.09
Whole Grain—Brown Rice, 24 oz.	\$3.59
Whole Grain—Oats, 16 oz.	\$2.70
Whole Grain—Oats, 24 oz.	\$6.11
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.64
Whole Wheat Pasta	\$2.17
Yogurt Nonfat	\$3.40
Yogurt Lowfat	\$3.40
Yogurt Wholefat	\$3.50
Boost RTF Formula—8 oz.	\$1.89
EnfaCare RTF Formula—32 oz.	\$7.74
EnfaCare w/Iron Powder Formula—12.8 oz.	\$18.81
Nutramigen Concentrate Formula—13 oz.	\$7.69
Nutramigen RTF Formula—32 oz.	\$10.59
Nutramigen w/Enflora Powder Formula—12.6 oz.	\$26.55
Pediasure RTF Formula—8 oz.	\$2.30
Pediasure w/Fiber RTF Formula—8 oz.	\$2.40
Pediasure Sidekicks RTF Formula—8 oz.	\$2.16
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.65
Similac Advance RTF Formula—Blue—32 oz.	\$7.85
Similac Advance Powder Formula—Blue—12.4 oz.	\$17.27
Similac Expert Care Alimentum RTF Formula—32 oz.	\$10.69
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$29.19
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$8.29
Similac Expert Care NeoSure RTF Formula—32 oz.	\$9.24
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$18.69
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$23.29
Similac for Spit Up RTF Formula—Green—32 oz.	\$8.29
Similac for Spit Up Powder Formula—Green—12.0 oz.	\$17.89
Similac Sensitive RTF Formula—Orange—32 oz.	\$8.19
Similac Sensitive Powder Formula—Orange—12.0 oz.	\$16.99
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.79
Similac Soy Isomil RTF Formula—Pink—32 oz.	\$8.49

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$17.19
Similac Total Comfort Powder Formula—Purple— 12.0 oz.	\$17.29

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2019, through June 30, 2019, the Competitive Prices for WIC authorization for Type 3 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.....	\$1.39
Beans/Peas—Dry—16 oz.....	\$2.12
Canned Fish—Pink Salmon.....	\$2.29
Canned Fish—Sardines.....	\$1.54
Canned Fish—Tuna.....	\$1.30
Cereal (per oz.).....	\$0.34
Cheese, 16 oz.....	\$6.88
Eggs.....	\$2.99
Infant Cereal—8 oz.....	\$2.55
Infant Fruits, 100%—4 oz.....	\$1.02
Infant Vegetables, 100%—4 oz.....	\$1.02
Infant Meats, 100%—2.5 oz.....	\$1.25
Juice—11.5/12 oz.....	\$2.77
Juice—48 oz.....	\$3.59
Juice—64 oz.....	\$4.20
Kosher Cheese—16 oz.....	\$8.30
Kosher Lowfat Milk—1/2 gallon.....	\$3.29
Kosher Whole Milk—1/2 gallon.....	\$3.35
Milk, Lowfat—1/2 gallon.....	\$2.49
Milk, Whole—1/2 gallon.....	\$2.52
Peanut Butter—16—18 oz.....	\$3.40
Whole Grain—Bread, 16 oz.....	\$3.45
Whole Grain—Brown Rice, 16 oz.....	\$2.05
Whole Grain—Oats, 16 oz.....	\$2.65
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.....	\$2.58
Whole Wheat Pasta.....	\$2.10
Similac Advance Concentrate Formula—Blue— 13 oz.....	\$5.55
Similac Advance Powder Formula—Blue— 12.4 oz.....	\$17.27
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.....	\$5.79
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.....	\$17.19

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.

Maximum Allowable Prices

Effective April 1, 2019, through June 30, 2019, the Maximum Allowable Prices the Department will pay Type 1 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.....	\$1.38
Beans/Peas—Dry—16 oz.....	\$2.20
Canned Fish—Pink Salmon.....	\$2.27
Canned Fish—Sardines.....	\$1.60
Canned Fish—Tuna.....	\$1.35
Cereal (per oz.).....	\$0.34
Cheese, 16 oz.....	\$7.45
Eggs.....	\$2.45
Infant Cereal—8 oz.....	\$2.62
Infant Fruits, 100%—4 oz.....	\$1.09
Infant Vegetables, 100%—4 oz.....	\$1.09
Infant Meats, 100%—2.5 oz.....	\$1.20
Juice—11.5/12 oz.....	\$2.85
Juice—48 oz.....	\$3.54
Juice—64 oz.....	\$4.25
Kosher Cheese—16 oz.....	\$8.40
Kosher Lowfat and 2% Milk—quart.....	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon.....	\$3.27
Kosher Whole Milk—quart.....	\$1.80
Kosher Whole Milk—1/2 gallon.....	\$3.37
Milk, Dry—9.6 oz.....	\$4.43
Milk, Dry—25.6 oz.....	\$9.65
Milk, Evaporated—12 oz.....	\$1.59
Milk, Lowfat and 2%—quart.....	\$1.40
Milk, Lowfat and 2%—1/2 gallon.....	\$2.32
Milk, Lowfat and 2% Lactose Free—quart.....	\$2.52
Milk, Lowfat and 2% Lactose Free—1/2 gallon.....	\$4.19
Milk, Whole—quart.....	\$1.52
Milk, Whole—1/2 gallon.....	\$2.49
Milk, Whole Lactose Free—quart.....	\$2.75
Milk, Whole Lactose Free—1/2 gallon.....	\$4.29
Peanut Butter—16—18 oz.....	\$3.40
Soy Beverage—Pacific Natural Foods 32 oz.....	\$3.35
Soy Beverage—8th Continent 64 oz.....	\$3.95
Tofu—16 oz.....	\$2.61
Whole Grain—Bread, 16 oz.....	\$3.55
Whole Grain—Bread, 24 oz.....	\$3.99
Whole Grain—Brown Rice, 16 oz.....	\$1.95
Whole Grain—Brown Rice, 24 oz.....	\$3.39
Whole Grain—Oats, 16 oz.....	\$2.52
Whole Grain—Oats, 24 oz.....	\$5.49
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.....	\$2.59
Whole Wheat Pasta.....	\$1.47
Yogurt Nonfat.....	\$3.35
Yogurt Lowfat.....	\$3.35
Yogurt Wholefat.....	\$3.45
Boost RTF Formula—8 oz.....	\$1.85
EnfaCare RTF Formula—32 oz.....	\$7.40
EnfaCare w/Iron Powder Formula—12.8 oz.....	\$18.24
Nutramigen Concentrate Formula—13 oz.....	\$7.63
Nutramigen RTF Formula—32 oz.....	\$10.45
Nutramigen w/Enflora Powder Formula— 12.6 oz.....	\$26.60
Pediasure RTF Formula—8 oz.....	\$2.04
Pediasure w/Fiber RTF Formula—8 oz.....	\$2.15
Pediasure Sidekicks RTF Formula—8 oz.....	\$1.99
Similac Advance Concentrate Formula—Blue— 13 oz.....	\$5.50
Similac Advance RTF Formula—Blue—32 oz.....	\$7.69

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Advance Powder Formula—Blue— 12.4 oz.	\$16.69
Similac Expert Care Alimentum RTF Formula— 32 oz.	\$10.49
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$28.79
Similac Expert Care for Diarrhea RTF Formula— 32 oz.	\$8.09
Similac Expert Care NeoSure RTF Formula— 32 oz.	\$9.09
Similac Expert Care NeoSure Powder Formula— 13.1 oz.	\$18.59
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$23.17
Similac for Spit Up RTF Formula—Green— 32 oz.	\$8.09
Similac for Spit Up Powder Formula—Green— 12.0 oz.	\$17.69
Similac Sensitive RTF Formula—Orange—32 oz..	\$7.79
Similac Sensitive Powder Formula—Orange— 12.0 oz.	\$16.89
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.61
Similac Soy Isomil RTF Formula—Pink—32 oz...	\$8.29
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$17.05
Similac Total Comfort Powder Formula—Purple— 12.0 oz.	\$17.09

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2019, through June 30, 2019, the Competitive Prices for WIC authorization for Type 1 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.30
Beans/Peas—Dry—16 oz.	\$2.10
Canned Fish—Pink Salmon.	\$2.25
Canned Fish—Sardines.	\$1.48
Canned Fish—Tuna.	\$1.30
Cereal (per oz.)	\$0.32
Cheese, 16 oz.	\$6.91
Eggs.	\$2.39
Infant Cereal—8 oz.	\$2.49
Infant Fruits, 100%—4 oz.	\$0.98
Infant Vegetables, 100%—4 oz.	\$0.98
Infant Meats, 100%—2.5 oz.	\$1.19
Juice—11.5/12 oz.	\$2.65
Juice—48 oz.	\$3.36
Juice—64 oz.	\$3.86
Kosher Cheese—16 oz.	\$7.89
Kosher Lowfat Milk—1/2 gallon.	\$3.19
Kosher Whole Milk—1/2 gallon.	\$3.25
Milk, Lowfat—1/2 gallon.	\$2.29
Milk, Whole—1/2 gallon.	\$2.35

<i>Description</i>	<i>Competitive Prices</i>
Peanut Butter—16—18 oz.	\$3.29
Whole Grain—Bread, 16 oz.	\$3.39
Whole Grain—Brown Rice, 16 oz.	\$1.79
Whole Grain—Oats, 16 oz.	\$2.45
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.50
Whole Wheat Pasta.	\$1.40
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.50
Similac Advance Powder Formula—Blue— 12.4 oz.	\$16.69
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.61
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$17.05

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

Maximum Allowable Prices

Effective April 1, 2019, through June 30, 2019, the Maximum Allowable Prices the Department will pay Type 2 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.45
Beans/Peas—Dry—16 oz.	\$2.30
Canned Fish—Pink Salmon.	\$2.30
Canned Fish—Sardines.	\$1.72
Canned Fish—Tuna.	\$1.40
Cereal (per oz.)	\$0.36
Cheese, 16 oz.	\$7.55
Eggs.	\$2.65
Infant Cereal—8 oz.	\$2.76
Infant Fruits, 100%—4 oz.	\$1.11
Infant Vegetables, 100%—4 oz.	\$1.11
Infant Meats, 100%—2.5 oz.	\$1.27
Juice—11.5/12 oz.	\$2.96
Juice—48 oz.	\$3.73
Juice—64 oz.	\$4.54
Kosher Cheese—16 oz.	\$8.40
Kosher Lowfat and 2% Milk—quart.	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon.	\$3.27
Kosher Whole Milk—quart.	\$1.80
Kosher Whole Milk—1/2 gallon.	\$3.37
Milk, Dry—9.6 oz.	\$4.50
Milk, Dry—25.6 oz.	\$9.75
Milk, Evaporated—12 oz.	\$1.65
Milk, Lowfat and 2%—quart.	\$1.44
Milk, Lowfat and 2%—1/2 gallon.	\$2.42
Milk, Lowfat and 2% Lactose Free—quart.	\$2.60
Milk, Lowfat and 2% Lactose Free—1/2 gallon.	\$4.35
Milk, Whole—quart.	\$1.57
Milk, Whole—1/2 gallon.	\$2.59
Milk, Whole Lactose Free—quart.	\$2.80
Milk, Whole Lactose Free—1/2 gallon.	\$4.45
Peanut Butter—16—18 oz.	\$3.56
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.40
Soy Beverage—8th Continent 64 oz.	\$4.15
Tofu—16 oz.	\$2.68

<i>Description</i>	<i>Maximum Allowable Price</i>
Whole Grain—Bread, 16 oz.	\$3.59
Whole Grain—Bread, 24 oz.	\$4.05
Whole Grain—Brown Rice, 16 oz.	\$1.99
Whole Grain—Brown Rice, 24 oz.	\$3.69
Whole Grain—Oats, 16 oz.	\$2.88
Whole Grain—Oats, 24 oz.	\$5.99
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.64
Whole Wheat Pasta	\$1.74
Yogurt Nonfat	\$3.40
Yogurt Lowfat	\$3.40
Yogurt Wholefat	\$3.50
Boost RTF Formula—8 oz.	\$1.91
EnfaCare RTF Formula—32 oz.	\$7.74
EnfaCare w/Iron Powder Formula—12.8 oz.	\$18.38
Nutramigen Concentrate Formula—13 oz.	\$7.69
Nutramigen RTF Formula—32 oz.	\$10.55
Nutramigen w/Enflora Powder Formula— 12.6 oz.	\$27.00
Pediasure RTF Formula—8 oz.	\$2.06
Pediasure w/Fiber RTF Formula—8 oz.	\$2.19
Pediasure Sidekicks RTF Formula—8 oz.	\$2.07
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.75
Similac Advance RTF Formula—Blue—32 oz.	\$7.79
Similac Advance Powder Formula—Blue— 12.4 oz.	\$16.79
Similac Expert Care Alimentum RTF Formula— 32 oz.	\$10.59
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$29.29
Similac Expert Care for Diarrhea RTF Formula— 32 oz.	\$8.49
Similac Expert Care NeoSure RTF Formula— 32 oz.	\$9.14
Similac Expert Care NeoSure Powder Formula— 13.1 oz.	\$18.69
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$23.40
Similac for Spit Up RTF Formula—Green— 32 oz.	\$8.19
Similac for Spit Up Powder Formula—Green— 12.0 oz.	\$17.89
Similac Sensitive RTF Formula—Orange— 32 oz.	\$7.89
Similac Sensitive Powder Formula—Orange— 12.0 oz.	\$16.99
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$5.79
Similac Soy Isomil RTF Formula—Pink—32 oz. ...	\$8.39
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$17.20
Similac Total Comfort Powder Formula—Purple— 12.0 oz.	\$17.29

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's

peer group. Effective April 1, 2019, through June 30, 2019, the Competitive Prices for WIC Authorization for Type 2 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.33
Beans/Peas—Dry—16 oz.	\$2.13
Canned Fish—Pink Salmon.	\$2.29
Canned Fish—Sardines	\$1.62
Canned Fish—Tuna	\$1.32
Cereal (per oz.)	\$0.34
Cheese, 16 oz.	\$7.00
Eggs	\$2.49
Infant Cereal—8 oz.	\$2.62
Infant Fruits, 100%—4 oz.	\$1.00
Infant Vegetables, 100%—4 oz.	\$1.00
Infant Meats, 100%—2.5 oz.	\$1.25
Juice—11.5/12 oz.	\$2.80
Juice—48 oz.	\$3.46
Juice—64 oz.	\$4.10
Kosher Cheese—16 oz.	\$8.00
Kosher Lowfat Milk—1/2 gallon	\$3.25
Kosher Whole Milk—1/2 gallon	\$3.35
Milk, Lowfat—1/2 gallon	\$2.35
Milk, Whole—1/2 gallon	\$2.39
Peanut Butter—16—18 oz.	\$3.39
Whole Grain—Bread, 16 oz.	\$3.49
Whole Grain—Brown Rice, 16 oz.	\$1.90
Whole Grain—Oats, 16 oz.	\$2.65
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.55
Whole Wheat Pasta	\$1.70
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.75
Similac Advance Powder Formula—Blue— 12.4 oz.	\$16.79
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.79
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$17.20

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties.

Maximum Allowable Prices

Effective April 1, 2019, through June 30, 2019, the Maximum Allowable Prices the Department will pay Type 3 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.54
Beans/Peas—Dry—16 oz.	\$2.40
Canned Fish—Pink Salmon.	\$2.49
Canned Fish—Sardines	\$1.75
Canned Fish—Tuna	\$1.50
Cereal (per oz.)	\$0.37
Cheese, 16 oz.	\$7.70
Eggs	\$3.15
Infant Cereal—8 oz.	\$3.10
Infant Fruits, 100%—4 oz.	\$1.28
Infant Vegetables, 100%—4 oz.	\$1.28
Infant Meats, 100%—2.5 oz.	\$1.37

<i>Description</i>	<i>Maximum Allowable Price</i>
Juice—11.5/12 oz.	\$3.03
Juice—48 oz.	\$3.86
Juice—64 oz.	\$4.63
Kosher Cheese—16 oz.	\$8.40
Kosher Lowfat and 2% Milk—quart	\$1.87
Kosher Lowfat and 2% Milk—1/2 gallon	\$3.37
Kosher Whole Milk—quart	\$1.80
Kosher Whole Milk—1/2 gallon	\$3.40
Milk, Dry—9.6 oz.	\$4.60
Milk, Dry—25.6 oz.	\$9.85
Milk, Evaporated—12 oz.	\$1.72
Milk, Lowfat and 2%—quart	\$1.59
Milk, Lowfat and 2%—1/2 gallon	\$2.72
Milk, Lowfat and 2% Lactose Free—quart	\$2.63
Milk, Lowfat and 2% Lactose Free—1/2 gallon ...	\$4.45
Milk, Whole—quart	\$1.74
Milk, Whole—1/2 gallon	\$2.79
Milk, Whole Lactose Free—quart	\$2.89
Milk, Whole Lactose Free—1/2 gallon	\$4.55
Peanut Butter—16—18 oz.	\$3.68
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.50
Soy Beverage—8th Continent 64 oz.	\$4.30
Tofu—16 oz.	\$2.75
Whole Grain—Bread, 16 oz.	\$3.65
Whole Grain—Bread, 24 oz.	\$4.10
Whole Grain—Brown Rice, 16 oz.	\$2.45
Whole Grain—Brown Rice, 24 oz.	\$3.79
Whole Grain—Oats, 16 oz.	\$3.00
Whole Grain—Oats, 24 oz.	\$6.11
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.70
Whole Wheat Pasta	\$2.77
Yogurt Nonfat	\$3.45
Yogurt Lowfat	\$3.45
Yogurt Wholefat	\$3.55
Boost RTF Formula—8 oz.	\$2.04
EnfaCare RTF Formula—32 oz.	\$8.04
EnfaCare w/Iron Powder Formula—12.8 oz.	\$19.01
Nutramigen Concentrate Formula—13 oz.	\$8.19
Nutramigen RTF Formula—32 oz.	\$10.65
Nutramigen w/Enflora Powder Formula— 12.6 oz.	\$27.30
Pediasure RTF Formula—8 oz.	\$2.35
Pediasure w/Fiber RTF Formula—8 oz.	\$2.45
Pediasure Sidekicks RTF Formula—8 oz.	\$2.45
Similac Advance Concentrate Formula—Blue— 13 oz.	\$6.08
Similac Advance RTF Formula—Blue—32 oz.	\$7.99
Similac Advance Powder Formula—Blue— 12.4 oz.	\$18.29
Similac Expert Care Alimentum RTF Formula— 32 oz.	\$10.79
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$30.19
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$8.79
Similac Expert Care NeoSure RTF Formula— 32 oz.	\$9.34
Similac Expert Care NeoSure Powder Formula— 13.1 oz.	\$18.79
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$23.45
Similac for Spit Up RTF Formula—Green— 32 oz.	\$8.59
Similac for Spit Up Powder Formula—Green— 12.0 oz.	\$18.89

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Sensitive RTF Formula—Orange— 32 oz.	\$8.29
Similac Sensitive Powder Formula—Orange— 12.0 oz.	\$17.99
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$6.25
Similac Soy Isomil RTF Formula—Pink—32 oz. ...	\$8.54
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$18.19
Similac Total Comfort Powder Formula—Purple— 12.0 oz.	\$17.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective April 1, 2019, through June 30, 2019, the Competitive Prices for WIC Authorization for Type 3 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.50
Beans/Peas—Dry—16 oz.	\$2.15
Canned Fish—Pink Salmon.	\$2.48
Canned Fish—Sardines	\$1.68
Canned Fish—Tuna	\$1.48
Cereal (per oz.)	\$0.35
Cheese, 16 oz.	\$7.20
Eggs	\$3.09
Infant Cereal—8 oz.	\$2.96
Infant Fruits, 100%—4 oz.	\$1.15
Infant Vegetables, 100%—4 oz.	\$1.15
Infant Meats, 100%—2.5 oz.	\$1.35
Juice—11.5/12 oz.	\$2.90
Juice—48 oz.	\$3.67
Juice—64 oz.	\$4.40
Kosher Cheese—16 oz.	\$8.40
Kosher Lowfat Milk—1/2 gallon	\$3.35
Kosher Whole Milk—1/2 gallon	\$3.39
Milk, Lowfat—1/2 gallon	\$2.58
Milk, Whole—1/2 gallon	\$2.70
Peanut Butter—16—18 oz.	\$3.59
Whole Grain—Bread, 16 oz.	\$3.55
Whole Grain—Brown Rice, 16 oz.	\$2.40
Whole Grain—Oats, 16 oz.	\$2.99
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.60
Whole Wheat Pasta	\$2.70
Similac Advance Concentrate Formula—Blue— 13 oz.	\$5.98
Similac Advance Powder Formula—Blue— 12.4 oz.	\$18.29
Similac Soy Isomil Concentrate Formula—Pink— 13 oz.	\$6.25
Similac Soy Isomil Powder Formula—Pink— 12.4 oz.	\$18.19

Persons with a disability who require an alternative format of this listing (for example, large print, audiotape,

Braille) should contact Perce Morgan, Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 19-466. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Federally Qualified Health Center Alternative Payment Methodology

This notice announces implementation of an alternative payment methodology (APM) for services provided by qualified public Federally Qualified Health Centers (FQHC) and FQHC look-alikes operated by a city of the first class, effective for a 3-year period beginning April 1, 2019, subject to the approval of the Centers for Medicare & Medicaid Services (CMS). The APM will provide additional funds to qualified FQHCs that provide a high volume of services to Medical Assistance (MA) beneficiaries and individuals with no insurance to allow the FQHCs to develop and offer additional services.

Background

Section 1902(bb)(1) of the Social Security Act (42 U.S.C.A. § 1396a(bb)(1)) provides for payment to FQHCs using a Prospective Payment System (PPS) methodology. For services provided to beneficiaries receiving services in a managed care delivery system, states must make supplemental payments equal to the amount the FQHC would have been paid under the PPS. See section 1902(bb)(5) of the Social Security Act. States can also pay providers using an APM. See section 1902(bb)(6) of the Social Security Act.

The MA Program uses a PPS methodology to pay for most services provided by FQHCs but does have two approved APMs. One APM requires physical health and behavioral health HealthChoices managed care organizations to pay FQHCs no less than Department of Human Services (Department) determined PPS rates, and the other pays FQHCs a practitioner's fee for obstetrical deliveries performed in an inpatient hospital setting. See 46 Pa.B. 7485 (November 26, 2016) and 47 Pa.B. 3049 (May 27, 2017).

APM for FQHCs Operated by a City of the First Class

To qualify for this additional APM, the FQHC must be located in and operated by a city of the first class and agree to the APM in writing.

For dates of service from April 1, 2019, through March 31, 2022, subject to the approval of CMS, the Department will pay qualified FQHCs an additional payment amount that, when combined with other payments from all sources including, but not limited to, Health Resources and Services Administration grants and co-pays, does not exceed 100% of the allowable costs incurred in the provision of covered MA and uninsured services. The Department will calculate and pay the additional amount

on a quarterly basis by applying a rate determined by the Department based on the FQHCs allowable costs as identified in the FQHCs most recently reviewed and accepted MA Cost Report, as trended to the payment year, to the number of actual services provided to MA and eligible uninsured individuals during the quarter in which the services were provided. Individuals lacking documentation for legal residency and individuals not eligible for Federally-funded MA for 5 years beginning with the date the individual obtained qualified noncitizen status, including lawfully admitted permanent residents and refugees, are not eligible as uninsured individuals for the purpose of this payment. See 8 U.S.C.A. §§ 1611 and 1612; 42 U.S.C.A. § 1396b(v).

Fiscal Impact

The estimated annual fiscal impact, as a result of the funding allocation for these payments, is \$24.418 million.

Public Comment

Interested persons are invited to submit written comments regarding this APM to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1320. (1) General Fund; (2) Implementing Year 2018-19 is \$0; (3) 1st Succeeding Year 2019-20 is \$7,500,000; 2nd Succeeding Year 2020-21 through 3rd Succeeding Year 2021-22 are \$10,001,000; 4th Succeeding Year 2022-23 is \$2,501,000; 5th Succeeding Year 2023-24 is \$0; (4) 2017-18 Program—\$477,690,000; 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; (7) MA—Fee-for-Service; (8) recommends adoption. There is no fiscal impact in the current fiscal year. Funds should be included in the budget to cover increases.

[Pa.B. Doc. No. 19-467. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$20 Cash Frenzy Fast Play Game 5056

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania \$20 Cash Frenzy (hereinafter “\$20 Cash Frenzy”). The game number is PA-5056.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play*: A chance to participate in a particular Fast Play lottery game.

(g) *Play Area*: The area on a ticket which contains one or more play symbols.

(h) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the "YOUR NUMBERS" area, determine whether a player wins a prize.

(k) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

(l) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area and generated via quick pick that, when matched against the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a \$20 Cash Frenzy ticket is \$1.

4. *Description of the \$20 Cash Frenzy lottery game*:

(a) The \$20 Cash Frenzy lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. \$20 Cash Frenzy tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) \$20 Cash Frenzy is played by matching the play symbols in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 7 (relating to prizes available to be won and determination of prize winners).

(d) A \$20 Cash Frenzy game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a \$20 Cash Frenzy game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a \$20 Cash Frenzy game ticket and selecting the \$20 Cash Frenzy option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Pennsylvania \$20 Cash Frenzy ticket characteristics*:

(a) A \$20 Cash Frenzy ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols*: Each \$20 Cash Frenzy ticket play area will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols located in the "WINNING NUMBERS" and the "YOUR NUMBERS" areas are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT).

(c) *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), and \$20⁰⁰ (TWENTY).

(d) *Prizes*: The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, and \$20. A player can win up to 8 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game*: Approximately 2,400,000 tickets will be available for sale for the \$20 Cash Frenzy lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a Fast Frenzy Second-Chance Drawing for which non-winning \$20 Cash Frenzy Fast Play lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All \$20 Cash Frenzy prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of FREE (TICKET) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of one \$20 Cash Frenzy Fast Play lottery game ticket.

8. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,400,000 Tickets</i>
FREE	FREE \$1 TICKET	9.09	264,000
\$1	\$1	100	24,000
\$1 × 2	\$2	20	120,000
\$2	\$2	25	96,000
\$2 × 2	\$4	250	9,600
(\$1 × 2) + \$2	\$4	250	9,600
\$4	\$4	1,000	2,400
(\$2 × 2) + \$1	\$5	500	4,800
\$5	\$5	500	4,800
\$5 × 2	\$10	2,000	1,200
(\$2 × 2) + \$5 + \$1	\$10	2,000	1,200
(\$2 × 3) + (\$1 × 4)	\$10	2,000	1,200
\$10	\$10	2,000	1,200
\$5 × 4	\$20	600	4,000
\$10 × 2	\$20	600	4,000
(\$4 × 2) + (\$1 × 2) + \$10	\$20	600	4,000
(\$4 × 3) + (\$2 × 3) + (\$1 × 2)	\$20	600	4,000
(\$5 × 2) + (\$2 × 4) + (\$1 × 2)	\$20	600	4,000
(\$5 × 2) + (\$4 × 2) + (\$1 × 2)	\$20	600	4,000
(\$5 × 2) + \$10	\$20	600	4,000
\$20	\$20	600	4,000

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* Pennsylvania Lottery’s Fast Frenzy Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the “Drawing”).

(a) *Qualifying Tickets:* Non-winning PA-5054 \$500 Cash Frenzy (\$10), PA-5055 \$100 Cash Frenzy (\$5), and PA-5056 \$20 Cash Frenzy (\$1) Fast Play lottery game tickets, (“Qualifying Tickets”) are eligible for entry in the Drawing.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing’s promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery’s official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description.*

(1) The Lottery will conduct one Fast Frenzy Second-Chance Drawing for qualifying Fast Play lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. April 1, 2019, through 11:59:59 p.m. June 13, 2019, will be entered into the Drawing to be held between June 14, 2019 and June 24, 2019.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) Each time a Qualifying Ticket is entered, a predetermined instant cash prize may be awarded. Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an instant cash prize is awarded.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5054 \$500 Cash Frenzy (\$10) = 10 entries, PA-5055 \$100 Cash Frenzy (\$5) = 5 entries, and PA-5056 \$20 Cash Frenzy (\$1) = 1 entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e), or mentioned anywhere else in these rules.

(2) When the predetermined ticket file for a Qualifying Ticket entered in the Drawing indicates that an instant cash prize is not awarded, the player will be awarded the number of entries that were assigned to the Qualifying Ticket entered for the Drawing.

(3) When the predetermined ticket file for a Qualifying Ticket entered in the Drawing indicates that an instant cash prize is awarded, the player will be awarded an instant cash prize as well as the number of entries that were assigned to the Qualifying Ticket entered for the Drawing.

(4) The following table sets forth the approximate number of instant cash prize winners for each instant cash prize, and the approximate odds of winning an instant cash prize:

Qualifying Ticket	Approximate Number of Instant Cash Prize Winners Based on 100% of Eligible Qualifying Tickets:		
	\$25 Prize	\$50 Prize	\$100 Prize
\$500 Cash Frenzy	35,456	13,473	11,228
\$100 Cash Frenzy	9,320	3,541	2,951
\$20 Cash Frenzy	1,924	731	609

Qualifying Ticket	Approximate Odds of Winning an Instant Cash Prize are 1 in:		
	\$25 Prize	\$50 Prize	\$100 Prize
\$500 Cash Frenzy	95	250	300
\$100 Cash Frenzy	190	500	600
\$20 Cash Frenzy	950	2,500	3,000

(5) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first and second entries selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall each be entitled to a prize of \$10,000, less required income tax withholding.

(ii) The third and fourth entries selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall each be entitled to a prize of \$7,500, less required income tax withholding.

(iii) The fifth through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(iv) The eleventh through the twenty-second entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$2,500.

(v) The twenty-third through the fifty-second entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$1,000.

(6) All prizes will be paid as lump-sum cash payments.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing Restrictions.*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC USA, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the

same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

10. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or a Fast Play ticket redeemed by a player in error.

11. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) Pursuant to the preceding paragraphs, the retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play \$20 Cash Frenzy lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play \$20 Cash Frenzy lottery game tickets.

19. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote \$20 Cash Frenzy or through normal communications methods.

21. *Applicability:* This notice applies only to the \$20 Cash Frenzy lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-468. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$100 Cash Frenzy Fast Play Game 5055

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania \$100 Cash Frenzy (hereinafter "\$100 Cash Frenzy"). The game number is PA-5055.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area:* The area on a ticket which contains one or more play symbols.

(h) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when

matched against the "YOUR NUMBERS" area, determine whether a player wins a prize.

(k) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

(l) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area and generated via quick pick that, when matched against the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a \$100 Cash Frenzy ticket is \$5.

4. *Description of the \$100 Cash Frenzy lottery game*:

(a) The \$100 Cash Frenzy lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. \$100 Cash Frenzy tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) \$100 Cash Frenzy is played by matching any of the play symbols in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 7 (relating to prizes available to be won and determination of prize winners).

(d) A \$100 Cash Frenzy game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a \$100 Cash Frenzy game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a \$100 Cash Frenzy game ticket and selecting the \$100 Cash Frenzy option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Pennsylvania \$100 Cash Frenzy ticket characteristics*:

(a) A \$100 Cash Frenzy ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols*: Each \$100 Cash Frenzy ticket play area will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols located in the "WINNING NUMBERS" and the "YOUR NUMBERS" areas are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THRT).

(c) *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY) and \$100 (ONE HUN).

(d) *Prizes*: The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$25, \$50, and \$100. A player can win up to 10 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game*: Approximately 2,400,000 tickets will be available for sale for the \$100 Cash Frenzy lottery game.

6. The Pennsylvania Lottery will conduct a Fast Frenzy Second-Chance Drawing for which non-winning \$100 Cash Frenzy Fast Play lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All \$100 Cash Frenzy prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Chances of Winning*: The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,400,000 Tickets</i>
\$5	\$5	7.69	312,000
\$5 × 2	\$10	25	96,000
\$10	\$10	26.32	91,200
\$5 × 3	\$15	83.33	28,800
\$10 + \$5	\$15	83.33	28,800
\$15	\$15	166.67	14,400
\$5 × 4	\$20	500	4,800
(\$5 × 2) + \$10	\$20	500	4,800
\$20	\$20	500	4,800
(\$5 × 3) + \$10	\$25	2,000	1,200
(\$10 × 2) + \$5	\$25	2,000	1,200
\$15 + \$10	\$25	1,250	1,920
\$25	\$25	2,500	960
\$25 × 2	\$50	1,500	1,600
(\$10 × 3) + \$20	\$50	1,500	1,600
(\$20 × 2) + (\$5 × 2)	\$50	1,500	1,600
\$50	\$50	1,500	1,600
\$50 × 2	\$100	436.36	5,500
\$25 × 4	\$100	436.36	5,500
(\$15 × 3) + (\$10 × 4) + (\$5 × 3)	\$100	436.36	5,500
(\$20 × 2) + (\$10 × 4) + (\$5 × 4)	\$100	480	5,000
(\$25 × 2) + \$50	\$100	480	5,000
\$100	\$100	436.36	5,500

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* Pennsylvania Lottery's Fast Frenzy Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5054 \$500 Cash Frenzy (\$10), PA-5055 \$100 Cash Frenzy (\$5), and PA-5056 \$20 Cash Frenzy (\$1) Fast Play lottery game tickets, ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description.*

(1) The Lottery will conduct one Fast Frenzy Second-Chance Drawing for qualifying Fast Play lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. April 1, 2019, through 11:59:59 p.m. June 13, 2019, will be entered into the Drawing to be held between June 14, 2019 and June 24, 2019.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) Each time a Qualifying Ticket is entered, a predetermined instant cash prize may be awarded. Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an instant cash prize is awarded.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5054 \$500 Cash Frenzy (\$10) = 10 entries, PA-5055 \$100 Cash Frenzy (\$5) = 5 entries, and PA-5056 \$20 Cash Frenzy (\$1) = 1 entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e), or mentioned anywhere else in these rules.

(2) When the predetermined ticket file for a Qualifying Ticket entered in the Drawing indicates that an instant cash prize is not awarded, the player will be awarded the number of entries that were assigned to the Qualifying Ticket entered for the Drawing.

(3) When the predetermined ticket file for a Qualifying Ticket entered in the Drawing indicates that an instant cash prize is awarded, the player will be awarded an instant cash prize as well as the number of entries that were assigned to the Qualifying Ticket entered for the Drawing.

(4) The following table sets forth the approximate number of instant cash prize winners for each instant cash prize, and the approximate odds of winning an instant cash prize:

Qualifying Ticket	Approximate Number of Instant Cash Prize Winners Based on 100% of Eligible Qualifying Tickets:		
	\$25 Prize	\$50 Prize	\$100 Prize
\$500 Cash Frenzy	35,456	13,473	11,228
\$100 Cash Frenzy	9,320	3,541	2,951
\$20 Cash Frenzy	1,924	731	609

Qualifying Ticket	Approximate Odds of Winning an Instant Cash Prize are 1 in:		
	\$25 Prize	\$50 Prize	\$100 Prize
\$500 Cash Frenzy	95	250	300
\$100 Cash Frenzy	190	500	600
\$20 Cash Frenzy	950	2,500	3,000

(5) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first and second entries selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall each be entitled to a prize of \$10,000, less required income tax withholding.

(ii) The third and fourth entries selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall each be entitled to a prize of \$7,500, less required income tax withholding.

(iii) The fifth through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(iv) The eleventh through the twenty-second entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$2,500.

(v) The twenty-third through the fifty-second entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$1,000.

(6) All prizes will be paid as lump-sum cash payments.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing Restrictions.*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC USA, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

10. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or a Fast Play ticket redeemed by a player in error.

11. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on

account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) Pursuant to the preceding paragraphs, the retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play \$100 Cash Frenzy lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play \$100 Cash Frenzy lottery game tickets.

19. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote \$100 Cash Frenzy or through normal communications methods.

21. *Applicability:* This notice applies only to the \$100 Cash Frenzy lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-469. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$500 Cash Frenzy Fast Play Game 5054

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania \$500 Cash Frenzy (hereinafter “\$500 Cash Frenzy”). The game number is PA-5054.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(e) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(f) *Play:* A chance to participate in a particular Fast Play lottery game.

(g) *Play Area:* The area on a ticket which contains one or more play symbols.

(h) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(i) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 7 (relating to prizes available to be won and determination of prize winners) of this game notice.

(j) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against the “YOUR NUMBERS” area, determine whether a player wins a prize.

(k) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

(l) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the play area and generate via quick pick that, when matched against the “WINNING NUMBERS” area, determine whether a player wins a prize.

3. *Price*: The price of a \$500 Cash Frenzy ticket is \$10.

4. *Description of the \$500 Cash Frenzy lottery game*:

(a) The \$500 Cash Frenzy lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. \$500 Cash Frenzy tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) \$500 Cash Frenzy is played by matching any of the play symbols in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. A bet slip is not used to play this game.

(c) Players can win the prize identified in section 7 (relating to prizes available to be won and determination of prize winners).

(d) A \$500 Cash Frenzy game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a \$500 Cash Frenzy game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a \$500 Cash Frenzy game ticket and selecting the \$500 Cash Frenzy option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Pennsylvania \$500 Cash Frenzy ticket characteristics*:

(a) A \$500 Cash Frenzy ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols*: Each \$500 Cash Frenzy ticket play area will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols located in the "WINNING NUMBERS" and the "YOUR NUMBERS" areas are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THRT), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FRTY).

(c) *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$75⁰⁰ (SVY FIV), \$100 (ONE HUN), and \$500 (FIV HUN).

(d) *Prizes*: The prizes that can be won in this game are: \$10, \$15, \$20, \$30, \$40, \$50, \$75, \$100, and \$500. A player can win up to 14 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game*: Approximately 4,800,000 tickets will be available for sale for the \$500 Cash Frenzy lottery game.

6. *Second-Chance Drawing*: The Pennsylvania Lottery will conduct a Fast Frenzy Second-Chance Drawing for which non-winning \$500 Cash Frenzy Fast Play lottery game tickets may be eligible as provided for in section 9.

7. *Prizes available to be won and determination of prize winners*:

(a) All \$500 Cash Frenzy prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$75⁰⁰ (SVY FIV) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$75.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30⁰⁰ (THIRTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15⁰⁰ (FIFTEEN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Chances of Winning*: The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$10	\$10	6.67	719,520
\$15	\$15	12.5	384,000
\$10 × 2	\$20	50	96,000
\$20	\$20	50	96,000
\$10 × 3	\$30	333.33	14,400
\$15 × 2	\$30	333.33	14,400
\$20 + \$10	\$30	333.33	14,400
\$30	\$30	333.33	14,400
\$10 × 4	\$40	2,500	1,920
\$20 × 2	\$40	2,500	1,920
(\$10 × 2) + \$20	\$40	2,500	1,920
(\$15 × 2) + \$10	\$40	2,500	1,920
\$30 + \$10	\$40	2,500	1,920
\$40	\$40	2,500	1,920
\$10 × 5	\$50	1,000	4,800
(\$10 × 3) + \$20	\$50	1,000	4,800
(\$20 × 2) + \$10	\$50	1,000	4,800
\$30 + \$20	\$50	1,000	4,800
\$40 + \$10	\$50	500	9,600
\$50	\$50	500	9,600
\$20 × 5	\$100	60,000	80
\$50 × 2	\$100	60,000	80
(\$20 × 3) + \$30 + \$10	\$100	60,000	80
(\$30 × 3) + \$10	\$100	60,000	80
(\$40 × 2) + (\$10 × 2)	\$100	60,000	80
\$50 + \$30 + \$20	\$100	60,000	80
\$75 + \$15 + \$10	\$100	60,000	80
\$100	\$100	60,000	80
\$100 × 5	\$500	1,200	4,000
(\$50 × 4) + (\$40 × 4) + (\$30 × 4) + (\$10 × 2)	\$500	1,200	4,000
(\$75 × 3) + (\$50 × 4) + (\$20 × 2) + (\$10 × 2) + \$15	\$500	1,200	4,000
(\$75 × 4) + (\$40 × 3) + (\$15 × 2) + \$50	\$500	1,200	4,000
(\$100 × 2) + (\$75 × 2) + (\$50 × 3)	\$500	1,200	4,000
(\$100 × 3) + (\$30 × 4) + (\$20 × 4)	\$500	1,200	4,000
\$500	\$500	1,200	4,000

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* Pennsylvania Lottery's Fast Frenzy Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5054 \$500 Cash Frenzy (\$10), PA-5055 \$100 Cash Frenzy (\$5), and PA-5056 \$20 Cash Frenzy (\$1) Fast Play lottery game tickets, ("Qualifying Tickets") are eligible for entry in the Drawing.

(b) *Participation and Entry:*

(1) Entrants must be members of the Pennsylvania Lottery VIP Players Club to participate in the Drawing. To join the VIP Players Club, visit <http://www.palottery.state.pa.us/vipplayersclub/login.aspx>. Becoming a VIP Players Club member is free.

(2) To enter the Drawing, entrants must submit the identifying information from at least one Qualifying Ticket via the Drawing's promotional website, available at <http://www.palottery.com>, or the Pennsylvania Lottery's official mobile application during the entry period. The

identifying information from a Qualifying Ticket may be submitted only once in the Drawing. No other method of submission will be accepted, and entries submitted using any other method, including entries mailed or hand-delivered to the Pennsylvania Lottery, are not valid and will be disqualified.

(3) Each entry must be complete and the information supplied by the entrant must be accurate. Incomplete entries cannot be accepted.

(4) Only one claimant per entry allowed.

(5) Entrants must be 18 years of age or older.

(6) Players may submit the identifying information from an unlimited number of Qualifying Tickets in the Drawing.

(7) Once an entry has been submitted it cannot be withdrawn or changed.

(c) *Drawing Description.*

(1) The Lottery will conduct one Fast Frenzy Second-Chance Drawing for qualifying Fast Play lottery game tickets. All time references are Eastern Prevailing Time.

(2) All entries received after 11:59:59 p.m. April 1, 2019, through 11:59:59 p.m. June 13, 2019, will be entered into the Drawing to be held between June 14, 2019 and June 24, 2019.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) Each time a Qualifying Ticket is entered, a predetermined instant cash prize may be awarded. Each Qualifying Ticket will have a predetermined ticket file assigned at the time the ticket is printed that will determine whether an instant cash prize is awarded.

(5) The number of entries an entrant will receive for the Drawing is determined by the purchase price of the Qualifying Ticket entered. The respective purchase price and corresponding number of entries for the Qualifying Ticket is as follows: PA-5054 \$500 Cash Frenzy (\$10) = 10 entries, PA-5055 \$100 Cash Frenzy (\$5) = 5 entries, and PA-5056 \$20 Cash Frenzy (\$1) = 1 entry.

(6) Players may review prizes won and their entries for the Drawing via the Drawing's promotional website.

(d) *Prizes Available to be Won, Determination of Winners, and Odds of Winning.*

(1) The prize entitlements described below are subject to all restrictions and limitations described in section 9(e), or mentioned anywhere else in these rules.

(2) When the predetermined ticket file for a Qualifying Ticket entered in the Drawing indicates that an instant cash prize is not awarded, the player will be awarded the number of entries that were assigned to the Qualifying Ticket entered for the Drawing.

(3) When the predetermined ticket file for a Qualifying Ticket entered in the Drawing indicates that an instant cash prize is awarded, the player will be awarded an instant cash prize as well as the number of entries that were assigned to the Qualifying Ticket entered for the Drawing.

(4) The following table sets forth the approximate number of instant cash prize winners for each instant

cash prize, and the approximate odds of winning an instant cash prize:

Qualifying Ticket	Approximate Number of Instant Cash Prize Winners Based on 100% of Eligible Qualifying Tickets:		
	\$25 Prize	\$50 Prize	\$100 Prize
\$500 Cash Frenzy	35,456	13,473	11,228
\$100 Cash Frenzy	9,320	3,541	2,951
\$20 Cash Frenzy	1,924	731	609

Qualifying Ticket	Approximate Odds of Winning an Instant Cash Prize are 1 in:		
	\$25 Prize	\$50 Prize	\$100 Prize
\$500 Cash Frenzy	95	250	300
\$100 Cash Frenzy	190	500	600
\$20 Cash Frenzy	950	2,500	3,000

(5) The Lottery will conduct one Drawing from among all the entries received during the entry period as described in section 9(c)(2).

(i) The first and second entries selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall each be entitled to a prize of \$10,000, less required income tax withholding.

(ii) The third and fourth entries selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall each be entitled to a prize of \$7,500, less required income tax withholding.

(iii) The fifth through the tenth entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$5,000.

(iv) The eleventh through the twenty-second entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$2,500.

(v) The twenty-third through the fifty-second entries selected in the Drawing will be winning entries and the entrants who submitted the winning entries shall each be entitled to a prize of \$1,000.

(6) All prizes will be paid as lump-sum cash payments.

(7) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(8) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(9) A computer-generated randomizer will be used to select the Drawing winners.

(e) *Drawing Restrictions.*

(1) To be eligible to participate in the Drawing, entrants must have complied with the requirements of these rules.

(2) The Lottery is not responsible for late, lost or misdirected entries not entered into the Drawing. The Lottery is not responsible for entries that are not entered into the Drawing because of incompatible internet browsers, mobile lottery application failure or other technical issues. If an entry is selected as a winner and rejected or otherwise disqualified during or following the Drawing, the Lottery will select another entry to replace the rejected or otherwise disqualified entry in accordance with these rules and Lottery procedure.

(3) If any discrepancy exists between these rules and any material describing the Drawing, these rules shall govern.

(4) Employees of the Pennsylvania Lottery, MARC USA, Scientific Games International Inc., MDI Entertainment, LLC, and their subcontractors, or a spouse, child, brother, sister or parent residing as a member of the same household in the principle place of residence of any such person are not eligible to participate in the Drawing. Offer void where prohibited or restricted.

(5) The Pennsylvania Lottery reserves the right, in its sole discretion, to cancel or suspend the Drawing and change these rules if the Drawing cannot be conducted as planned due to errors in these rules or advertising, unauthorized intervention, tampering, fraud, technical errors, viruses, worms, bugs, or any other cause beyond the control of the Pennsylvania Lottery that, in the Pennsylvania Lottery's sole judgment, could corrupt or impair the administration, security, fairness, integrity, or proper conduct of the Drawing.

(6) All entries shall be subject to verification by the Pennsylvania Lottery.

(7) The Pennsylvania Lottery reserves the right, in its sole discretion, to disqualify an entrant found to be tampering with the operation of the Drawing or to be acting in violation of these rules or applicable law.

(8) The Drawing is governed by the laws of the Commonwealth of Pennsylvania. Applicable laws and regulations apply.

(9) Prizes must be claimed within one year of the drawing date of the drawing in which the prize was won. If no claim is made within one year of the drawing date of the drawing in which the prize was won, the right of an entrant to claim the prize won, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided by statute.

(10) Final determination of winners will be made by the Secretary, whose judgment will be final and binding.

(11) A prize awarded in the Drawing to a person who dies before receiving the prize shall be paid according to 61 Pa. Code § 811.16 (relating to prizes payable after death of a prize winner).

(12) A winner is responsible for all taxes arising from or in connection with any prize won.

(13) A player may only win the prize for which the player is first selected in the Drawing. Subsequent entries, from the same individual, selected in the Drawing will be disqualified and a replacement entry will be selected.

(14) Prizes are not transferrable.

(15) Other restrictions may apply.

10. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or a Fast Play ticket redeemed by a player in error.

11. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

12. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) Pursuant to the preceding paragraphs, the retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 14 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

13. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

14. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

15. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

16. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play \$500 Cash Frenzy lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

17. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

18. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play \$500 Cash Frenzy lottery game tickets.

19. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000

shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

20. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote \$500 Cash Frenzy or through normal communications methods.

21. *Applicability:* This notice applies only to the \$500 Cash Frenzy lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-470. Filed for public inspection March 29, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Retail Incentive Program and Related Retailer Incentive Programs for Fiscal Year 2018-2019; Amended Notice

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), and under Title 4, Amusements, (4 Pa.C.S. §§ 501—505) the Secretary of Revenue hereby provides public notice of changes to the Retail Incentive Program and related Retailer Incentive Programs that were published at 48 Pa.B. 3914 (June 30, 2018), and amended at 48 Pa.B. 6358 (September 29, 2018).

This notice describes the programs, incentives and bonuses (collectively referred to as “the programs”) available to Retailers throughout fiscal year 2018-2019. The programs that are included in, or are related to, the Retail Incentive Program are set forth in this notice.

The Pennsylvania Lottery amends the notice to clarify which programs are specifically included in the Retail Incentive Program. The notice also clarifies how the Retail Incentive Program and the related Retailer Incentive Programs are funded. The substance and the requirements of the individual programs, including the Sales Growth Incentive Program as described in section 8, below, the Bonus Sales Growth Incentive Program, as described in section 9, below, and the Lottery Best Practices Initiatives as described in section 10 below, have not changed. The correct version of this document is as follows:

1. *Effective Date:* The Retail Incentive Program and related Retailer Incentive Programs described herein are effective as of the date of publication of this notice in the *Pennsylvania Bulletin*.

2. *Purpose:* The Pennsylvania Lottery (hereinafter referred to as "Lottery"), hereby gives notice of the Retail Incentive Program, as provided for in 4 Pa.C.S. § 504, and of related Retailer Incentive Programs, as provided for in 61 Pa. Code § 803.11 (relating to the powers and duties of the Secretary of Revenue), 61 Pa. Code § 819.222(b) (relating to incentives for the sale of instant tickets), 61 Pa. Code § 875.17 (relating to the sale of terminal based tickets), 61 Pa. Code § 874.17 (relating to the sale of raffle lottery games) in order to detail programs planned by the Lottery for the Fiscal Year beginning July 1, 2018 and ending June 30, 2019. The Retail Incentive Program and the related Retailer Incentive Programs as described herein were developed to create a comprehensive compensation package for Lottery Retailers and reward them for helping the Lottery achieve its goals. Changes or additions to the Retail Incentive Program will be communicated through an amended notice published in the *Pennsylvania Bulletin*. Changes or additions to the related Retailer Incentive Programs as described herein will be communicated through the usual methods of communication.

3. *Definitions:*

(a) *Agent or Lottery Sales Agent or Retailer:* A person licensed under section 305 of the State Lottery Law. For the purposes of this notice each separate retail location with a separate Lottery license shall be considered a separate retailer in all respects.

(b) *Fiscal Year:* For the purposes of this notice only, the accounting year used by the Lottery beginning on July 1, 2018 and ending on June 30, 2019.

(c) *Lottery or Pennsylvania Lottery:* The Lottery established under the State Lottery Law.

(d) *Traditional Lottery Products:* For the purposes of this notice, traditional lottery products are limited to instant lottery games, terminal-based lottery games, Fast Play games, and raffle lottery games.

(e) *Retailer in Good Standing:* To be a Retailer in Good Standing, the Retailer must meet all of the following requirements:

(1) Must be an active Retailer, with an active sales terminal, permitted to sell Lottery tickets.

(2) Must not have had a Retailer license that is revoked for any reason, including non-payment of Lottery sales.

(3) Must have had fifty-two (52) consecutive settlement weeks prior to the determination of eligibility as described in section 6, below.

(4) The reference to fifty-two (52) consecutive settlement weeks herein does not require the Retailer to have had actual sales for 52 consecutive weeks as described in section 6, below.

(f) *Secretary:* The Secretary of Revenue of the Commonwealth.

(g) *Standard Retailer Commission:* The amount of compensation provided to Retailers for selling Lottery products, as set forth in the State Lottery Law and the corresponding regulations. The current commission is defined in 61 Pa. Code § 805.10 (relating to compensation).

(h) *State Lottery Law:* The Act of August 26, 1971 (P.L. 351, No. 91), known as the State Lottery Law (72 P.S. §§ 3761-101—3761-314).

(i) *Quarter:* A quarter is a period of time during the year which consists of three consecutive months and which are consistent with the descriptions below.

(1) First quarter is the period of time beginning on July 1 and ending on September 30.

(2) Second quarter is the period of time beginning on October 1 and ending on December 31.

(3) Third quarter is the period of time beginning on January 1 and ending on March 31.

(4) Fourth quarter is the period of time beginning on April 1 and ending on June 30.

4. *Program Goals:* The Lottery seeks to attain the following business goals through the operation of the Retail Incentive Program:

(a) *Adoption of Lottery Best Practices:* The Lottery has identified certain best practices as described in section 5, below, and desires to encourage the adoption of these best practices by all Retailers.

(b) *Increasing Retailer Sales:* Traditional Lottery Products can only be sold at physical, retail locations and the Lottery desires to award retailers who increase their sales for the benefit of older Pennsylvanians through the operation of the Retail Incentive Program.

(c) *Supporting and Rewarding Retailers:* The Lottery has undertaken to establish the Lottery Best Practices Initiatives as identified in section 10, below, in select retail locations throughout the Commonwealth that elect to do so through the Retail Incentive Program.

5. *Lottery Best Practices:* The Lottery has identified the following ten best practices that Lottery retailers are encouraged to adopt and adhere to in order to maximize Lottery sales and player engagement in Lottery products at retail locations.

(a) *Ask for the Sale:* Retailers can maximize their Lottery sales and player engagement by encouraging customers to buy Lottery products.

(b) *Keep Lottery Fresh and Clean:* Retailers can maximize their Lottery sales and player engagement by maintaining and keeping clean the area of their establishment in which Lottery products are sold and displayed.

(c) *Know Lottery Products:* Retailers can maximize their Lottery sales and player engagement by being knowledgeable about the wide variety of Lottery products.

(d) *Pay Winning Tickets:* Retailers can maximize their Lottery sales and player engagement by paying winning Lottery tickets of \$2,500, or less, that players present at their retail locations.

(e) *Post Winning Tickets:* Retailers can maximize their Lottery sales and player engagement by posting winning tickets sold at their retail locations.

(f) *Maintain Inventory:* Retailers can maximize their Lottery sales and player engagement by maintaining their inventory of Lottery products and introducing the Lottery's new products promptly upon issuance.

(g) *Post Jackpot Amounts:* Retailers can maximize their Lottery sales and player engagement by posting jackpot amounts prominently in places where they are highly visible to customers.

(h) *Make Lottery Visible*: Retailers can maximize their Lottery sales and player engagement by making Lottery products easily visible in their retail locations.

(i) *Display Indoor Signs*: Retailers can maximize their Lottery sales and player engagement by posting Lottery signs and advertisements inside of their retail locations.

(j) *Display Outdoor Signs*: Retailers can maximize their Lottery sales and player engagement by posting Lottery signs and advertisements outside of their retail locations.

6. Program Requirements:

(a) To be eligible to participate in the Retail Incentive Program, the Retailer must be a Retailer in Good Standing.

(b) The determination of a Retailer's eligibility for participation will be made at the end of each quarter of the Retail Incentive Program for the Fiscal Year beginning on July 1, 2018 and ending on June 30, 2019, and shall be based on the financial data existing in the Lottery's financial accounting system for the Retailer and the status of the Retailer's license.

(1) The determination will be made based on the information in the Lottery's financial accounting system for the Retailer and the status of the Retailer's license as of September 30, 2018 for the first quarter.

(2) The determination will be made based on the information in the Lottery's financial accounting system for the Retailer and the status of the Retailer's license as of December 31, 2018 for the second quarter.

(3) The determination will be made based on the information in the Lottery's financial accounting system for the Retailer account and the status of the Retailer's license as March 31, 2019 for the third quarter.

(4) The determination will be made based on the information in the Lottery's financial accounting system for the Retailer and the status of the Retailer's license as of June 30, 2019 for the fourth quarter.

(c) A Retailer may be eligible to participate in and receive the incentives provided in sections 8 and 9, below, for each quarter in which the Retailer satisfies the eligibility requirements of this section and the requirements of sections 8 and 9.

(d) A Retailer may be eligible to participate in and receive the incentives provided in section 10, below, one time during the Fiscal Year if the Retailer satisfies the eligibility requirements of this section and the requirements of section 10 and is approved for participation.

(e) If a Retailer was licensed after July 1, 2017, the Retailer will be eligible to participate in the Retail Incentive Program at the beginning of the quarter, as described in section 6(b), above, immediately following the corresponding quarter in which the Retailer was licensed. For example, if a Retailer was licensed on November 29, 2017, that Retailer would be first eligible to participate in the Retail Incentive Program beginning on January 1, 2019.

(f) A Retailer is only eligible for participation in the Retail Incentive Program for those quarters in which the Retailer remains eligible for the entire quarter. Failure to maintain the requirements of a Retailer in Good Standing for any reason for any quarter shall preclude the Retailer from receiving any payment(s) that the Retailer would otherwise be entitled to for that quarter.

(g) The final determination of a Retailer's eligibility will be made by the Secretary, whose judgment will be final and binding.

7. How to Enroll:

(a) Participation in any component of the Retail Incentive Program is voluntary on the part of each Retailer and requires the Retailer to opt-in as described herein.

(b) Retailers who wish to enroll in any component of the Retail Incentive Program are responsible for reading this notice and any Lottery materials advertising the Retail Incentive Program, and must communicate an interest in participating in one or more components of the Retail Incentive Program to the Lottery through their Lottery Sales Representative or by emailing the Lottery at PALotteryRetailIncentive@pa.gov.

(c) Retailers who communicate an interest in participating in the Sales Growth Incentive Program and the Bonus Sales Growth Incentive Program will be provided with a form by the Lottery. Retailers must sign and deliver the form to the Lottery to complete their registration in the Sales Growth Incentive Program and the Bonus Sales Growth Incentive Program.

(d) Retailers who want to opt-in to one or more of the Lottery Best Practices Initiatives, as described in section 10, below, must indicate the same through the Lottery's Retailer Portal at <https://www.paretailer.lottery.state.pa.us/RetailerPortal/> or by completing a form provided by the Lottery.

(e) There is no requirement to opt-in to the Quarterly Bonus Retailer Incentive Program, as described in section 14 below.

8. *Sales Growth Incentive Program*: As part of the Retail Incentive Program, Retailers may qualify for a Sales Growth Incentive, in addition to the Standard Retailer Commission, by meeting the requirements of this section.

(a) The Lottery will establish a sales baseline for each Retailer based on that Retailer's prior year sales for each quarter that the Retailer is eligible for the Sales Growth Incentive under sections 6 and 7.

(b) A Retailer who exceeds their prior year sales figure by at least 4%, but not more than 7.99%, for any quarter in the Fiscal Year to which this notice applies, shall be eligible for the Sales Growth Incentive.

(c) The Sales Growth Incentive shall be awarded as an additional 0.75% commission above the Standard Retailer Commission.

(d) For example, assuming that the Retailer has met all other requirements of this notice, a Retailer with a sales baseline of \$100,000 for a quarter, who raises their sales by 4% to \$104,000, shall be entitled to Sales Growth Incentive of 0.75% in addition to the Standard Retailer Commission, and will be entitled to a Sales Growth Incentive payment of \$780. With the Standard Retailer Commission of \$5,200 on sales of \$104,000, the Retailer would receive a total payment of \$5,980 for that quarter.

(e) Each Retailer who elects to participate in the Sales Growth Incentive Program portion of the Retail Incentive Program shall be provided with their sales baseline figures and sales goals by the Lottery in writing.

(f) Sales baseline figures may account for periods in which the Retailer did not have Lottery sales but met the definition of Retailer in Good Standing.

9. *Bonus Sales Growth Incentive Program:*

(1) A Retailer who meets the eligibility requirements in section 6, above, who is enrolled in the Sales Growth Incentive Program as described in section 7, above, and who exceeds their sales baseline figure, as provided for in section 8, above, for any quarter by at least 8% shall be eligible for the Bonus Sales Growth Incentive.

(2) The Bonus Sales Growth Incentive shall be an additional 0.75% incentive above the Standard Retailer Commission and the incentive due pursuant to the Sales Growth Incentive Program.

(3) For example, assuming that the Retailer has met all other requirements of this notice, a retailer with a sales baseline of \$100,000 for a quarter, who raises their sales by 8% to \$108,000, shall be entitled to the Sales Growth Incentive of 0.75%, and the Bonus Sales Growth Incentive of 0.75%, for a total Incentive of 1.50% in addition to the Standard Retailer Commission and will be entitled to an Incentive payment of \$1,620. With the Standard Retailer Commission of \$5,400 on sales of \$108,000, the Retailer would receive a total payment of \$7,020 for that quarter.

10. *Lottery Best Practices Initiatives:*

(a) *Qualifying Retailers:* In order to participate in one or more of the Lottery Best Practices Initiatives as described below, the Retailer must meet the eligibility requirements as set forth in section 6. Only Retailers who agree to participate and are approved by the Lottery shall be eligible for the program. Retailers that are engaging in the best practices or who have already received equipment or material listed below are not eligible to participate in the applicable initiative(s) unless they are increasing their level of engagement relative to the specific initiative.

(b) *Levels of Participation:* Consistent with the Lottery's objectives, qualifying Retailers will fall in one of two levels for participation in the Lottery Best Practices Initiatives. The levels for participation are as follows:

(1) *Level 1 Retailer:* Level 1 Retailers are those Retailers that have a quarterly average of \$150,000 or more in sales of Traditional Lottery Products for the year beginning on July 1, 2017 and ending on June 30, 2018.

(2) *Level 2 Retailer:* Level 2 Retailers are those Retailers that have a quarterly average of less than \$150,000 in sales of Traditional Lottery Products for the year beginning on July 1, 2017 and ending on June 30, 2018.

(c) *Enrollment in the Lottery Best Practices Initiatives:* A Retailer who wants to participate in one or more of the Lottery Best Practices Initiatives must opt-in by March 31, 2019.

(d) *Schedule for Delivery of Materials and Equipment:* For each Retailer that has opted-in to one or more of the Lottery Best Practices Initiatives and has been approved for participation, the Lottery will determine when the materials and equipment for each of the Lottery Best Practices Initiatives will be delivered. Delivery and installation dates will be scheduled at the Lottery's discretion.

(e) *Lottery Best Practices Initiatives:*

(1) *Increased Counter Facings Initiative:*

(i) A Retailer that agrees to participate in the Increased Counter Facings Initiative must agree to display all Lottery provided bins on the counter with nothing impeding the view of the bin and agree to maintain the display.

(ii) Level 1 Retailers are eligible to receive a one-time payment of \$100 following agreement and approval to participate in the Increased Counter Facings Initiative.

(2) *Designated Lottery Space Initiative:*

(i) A Retailer that agrees to participate in the Designated Lottery Space Initiative must create and maintain a physical location within the Retailer's location designated for customers to play the Lottery, such as a keno/Xpress Sports viewing area, as provided by the Lottery.

(ii) Level 1 Retailers are eligible to receive a one-time payment of \$100 following agreement and approval to participate in the Designated Lottery Space Initiative.

(3) *Winner Awareness Area Initiative:*

(i) A Retailer that agrees to participate in the Winner Awareness Area Initiative must create and maintain a physical location within the Retailer's location, of a minimum of six (6) square feet, designated to display winning tickets paid by the Retailer and must update the area with tickets paid by the Retailer, on a monthly basis. The Lottery will provide the Retailer with the materials necessary to display winning tickets.

(ii) Level 1 Retailers are eligible to receive a one-time payment of \$100 following agreement and approval to participate in the Winner Awareness Area Initiative.

(4) *Signage Initiative:*

(i) A Retailer that agrees to participate in the Signage Initiative must increase and maintain the amount of Lottery provided indoor and outdoor signage displayed at the Retailer's location above the amount the Retailer displays prior to agreeing to participate in the Signage Initiative.

(ii) Level 1 Retailers are eligible to receive a one-time payment of \$100 following agreement and approval to participate in the Signage Initiative.

(5) *Ask For The Sale Initiative:*

(i) A Level 2 Retailer that agrees to participate in the Ask for the Sale Initiative must conduct an Ask for the Sale promotion at the Retailer's location once during the Fiscal Year.

(ii) To conduct an Ask for the Sale promotion, the Retailer must agree to ask every customer to purchase a Lottery ticket during the agreed upon timeframe and must display Lottery provided materials advertising the promotion. Level 2 Retailers shall receive up to \$100 worth of Lottery coupons or promotional tickets to support the promotion by awarding any player not asked to purchase a Lottery ticket a Lottery coupon or promotional ticket.

(iii) *Prohibitions:*

(A) Level 1 Retailers are not eligible for the Ask for the Sale Initiative.

(B) Level 2 Retailers who opt-in to the Second-Chance Drawing Initiative as described herein are not eligible for the Ask for the Sale Initiative.

(6) *Second-Chance Drawing Initiative:*

(i) A Retailer that agrees to participate in the Second-Chance Drawing Initiative must conduct a Second-Chance Drawing during the Fiscal Year.

(ii) To conduct a Second-Chance Drawing, Retailers must conduct a drawing for Lottery players in which they randomly select one or more winners. The Retailer shall

receive at least \$100 worth of Lottery coupons or promotional tickets to support the drawing.

(iii) Level 1 Retailers that agree to participate in the Second-Chance Drawing Initiative must also supply a prize, not otherwise prohibited by law, that matches or exceeds the monetary value of the Lottery coupons or promotional tickets provided to support the drawing. The prize supplied by the Retailer may be made using money, merchandise or any other item of value provided by the Retailer.

(iv) Level 1 and Level 2 Retailers are eligible to receive the Lottery coupons or promotional tickets following agreement and approval to participate in the Second-Chance Drawing Initiative.

(v) Retailers who participate in the Second-Chance Drawing Initiative are responsible for developing and communicating the rules for the Second-Chance Drawings conducted by the Retailer. Retailers who participate in the Second-Chance Drawing Initiative are responsible for implementing and adhering to the rules that they develop for the Second-Chance Drawings they conduct. The Lottery does not administer and is not responsible for the conduct or the outcome of the Second-Chance Drawings as described herein.

(vi) Level 2 Retailers are not eligible to participate in the Second-Chance Drawing Initiative if that same Retailer opted-in and was approved for the Ask for the Sale Initiative as described above.

(7) *All-In Initiative:*

(i) A Level 1 Retailer that agrees to participate in the All-In Initiative must conduct the Lottery Best Practices Initiatives as described in section 10(e)(1), (2), (3), (4) and (6) for Level 1 Retailers.

(ii) A Level 1 Retailer is eligible to receive a one-time payment of \$400 as well as the Lottery coupons or promotional tickets used to support the Second-Chance Drawing Initiative, following agreement and approval to participate in the All-In Initiative.

(iii) A Level 2 Retailer that agrees to participate in the All-In Initiative must conduct the Lottery Best Practices Initiatives as described in section 10(e)(1), (2), (3) and (4) for Level 2 Retailers in addition to one of the following: the Ask for the Sale Initiative pursuant to section 10(e)(5) or the Second-Chance Drawing Initiative pursuant to section 10(e)(6) for Level 2 Retailers.

(f) Level 2 Retailers that have opted-in to one or more on the Lottery Best Practices Initiatives, that have been approved for participation, and that reach an average of \$150,000 in sales for any quarter during the Fiscal Year shall be entitled to the same cash payment, if any, associated with the specific Lottery Best Practices Initiative the Retailer participated in.

11. *Funds for the Retail Incentive Program:* For fiscal year 2018-2019, the Pennsylvania Lottery caps expenditures of the Sales Growth Incentive Program as described in section 8, above, the Bonus Sales Growth Incentive Program as described in section 9, above, and the Lottery Best Practices Initiatives as described in section 10, above, to the statutory requirement of 0.5% of the sale of traditional lottery products at Retailers' physical lottery sales location within fiscal year 2017-2018 as required pursuant to 4 Pa.C.S. § 504(b).

12. *Nonlapse:* Amounts remaining in the Retail Incentive Program at the end of the Fiscal Year shall not lapse, but shall be used to fund retail sales initiatives, includ-

ing, but not limited to, new equipment, signage, training, coupons, consumer and agent in-store promotions and sales makeovers, designed to improve in-store merchandising, foot traffic and sales, as determined by the Lottery.

13. *Retailer Incentive Programs:* The Pennsylvania Lottery is authorized to offer Retailer Incentive Programs pursuant to 61 Pa. Code § 811.41. Any expenditures by the Pennsylvania Lottery that exceed the limit set forth at 4 Pa.C.S. § 504(b) in section 11, above, will be attributed to a Retailer Incentive Program authorized pursuant to 61 Pa. Code § 811.41.

The Retail Incentive Program will run concurrently with and in conjunction with Retailer Incentive Programs including, the Quarterly Bonus Retailer Incentive Programs. A description of the Quarterly Bonus Retailer Incentive Programs can be found in section 14, below.

14. *Quarterly Retailer Incentive Programs.*

(a) The Lottery will conduct quarterly programs that provide Retailers with an opportunity to earn a reward by conducting various Lottery product promotions.

(b) The Lottery will advise Retailers of the Quarterly Bonus Commission Program promotions through Lottery sales terminal messages, information provided by Lottery Sales Representatives and information provided on the Retailer's Corner of the Lottery website, <https://www.palottery.state.pa.us/About-PA-Lottery/For-Retailers.aspx>.

(c) The rewards to Retailers issued through the quarterly promotions may include, but are not limited to, bonus commissions and entries into drawings.

15. *Payments:* Payments due to Retailers pursuant to the requirements of the Retail Incentive Program and the related Retailer Incentive Programs will be credited to the Retailer's account on file with the Lottery.

16. *Applicability:* This notice applies only to the Retail Incentive Program for the Fiscal Year beginning on July 1, 2018 and ending on June 30, 2019, and the related Retailer Incentive Programs described herein. Additional related Retailer Incentive Programs may be conducted throughout the Fiscal Year pursuant to the State Lottery Law and corresponding regulations and will be communicated through normal methods of communication.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-471. Filed for public inspection March 29, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

First Priority Life Insurance Company (HGHM-131864020); Small Group HMO Quarterly Filing; Rate Filing

First Priority Life Insurance Company submitted a rate filing to adjust the premium rates for its Small Group Plans. The filing proposes an average rate increase of 16.37% and will affect approximately 8,184 members. The proposed rate increase will generate an annualized revenue of approximately \$2.51 million and will be effective July 1, 2019.

Unless formal administrative action is taken prior to June 13, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (click on the "Consumers" tab, then under "Resources" select "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-472. Filed for public inspection March 29, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Highmark Benefits Group (HGHM-131864021); Small Group HMO Quarterly Filing; Rate Filing

Highmark Benefits Group submitted a rate filing to adjust the premium rates for its Small Group Plans. The filing proposes an average rate increase of 2% and will affect approximately 6,214 members. The proposed rate increase will generate an annualized revenue of approximately \$1.45 million and will be effective July 1, 2019.

Unless formal administrative action is taken prior to June 13, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (click on the "Consumers" tab, then under "Resources" select "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-473. Filed for public inspection March 29, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Highmark, Inc. (HGHM-131864069); Small Group HMO Quarterly Filing; Rate Filing

Highmark, Inc. submitted a rate filing to adjust the premium rates for its Small Group Plans. The filing proposes an average rate increase of 15.89% and will affect approximately 11,501 members. The proposed rate increase will generate an annualized revenue of approximately \$4.21 million and will be effective July 1, 2019.

Unless formal administrative action is taken prior to June 13, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (click on the "Consumers" tab, then under "Resources" select "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-474. Filed for public inspection March 29, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Keystone Health Plan East (INAC-131860437); Small Group HMO Quarterly Filing; Rate Filing

Keystone Health Plan East submitted a rate filing to decrease the premium rates for its Small Group HMO Plans. The filing proposes a rate decrease of 1.91% and will affect approximately 109,410 members. The proposed rate decrease will generate an annualized revenue loss of approximately \$12.5 million and will be effective July 1, 2019.

Unless formal administrative action is taken prior to June 13, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (click on the "Consumers" tab, then under "Resources" select "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-475. Filed for public inspection March 29, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

QCC Insurance Company, Inc. (INAC-131860461); Small Group PPO Quarterly Filing; Rate Filing

QCC Insurance Company, Inc. submitted a rate filing to decrease the premium rates for its Small Group PPO

Plans. The filing proposes a rate decrease of 1.8% and will affect approximately 69,098 members. The proposed rate decrease will generate an annualized revenue loss of approximately \$8.6 million and will be effective July 1, 2019.

Unless formal administrative action is taken prior to June 13, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (click on the "Consumers" tab, then under "Resources" select "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-476. Filed for public inspection March 29, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

UPMC Health Coverage, Inc. (UPMC-131851672); Small Group HMO 4Q Quarterly Filing; Rate Filing

UPMC Health Coverage, Inc. submitted a rate filing to adjust the premium rates for its Small Group Plans. The filing proposes an average rate change of -2.87% and will affect approximately 1,239 members. The proposed rate increase will generate an annualized revenue change of approximately -\$275,000 and will be effective October 1, 2019.

Unless formal administrative action is taken prior to June 13, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (click on the "Consumers" tab, then under "Resources" select "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-477. Filed for public inspection March 29, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

UPMC Health Options, Inc. (UPMC-131851555); Small Group PPO 4Q Quarterly Filing; Rate Filing

UPMC Health Options, Inc. submitted a rate filing to adjust the premium rates for its Small Group Plans. The filing proposes an average rate change of -2.99% and will affect approximately 51,491 members. The proposed rate increase will generate an annualized revenue change of approximately -\$16.8 million and will be effective October 1, 2019.

Unless formal administrative action is taken prior to June 13, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (click on the "Consumers" tab, then under "Resources" select "Product Notices").

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's regional office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-478. Filed for public inspection March 29, 2019, 9:00 a.m.]

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Environmental Assessment Approval for PENNVEST Funding Consideration

Scope: Clean Water and Drinking Water State Revolving Fund Projects for Pennsylvania Infrastructure Investment Authority (PENNVEST) Board Meeting Consideration

Description: PENNVEST, which administers the Commonwealth's Clean Water Fund and Drinking Water State Revolving Fund (DWSRF), is intended to be the funding source for the following project. The Department of Environmental Protection's (Department) review of this project, and the information received in the Environmental Report for this project, has not identified any significant, adverse environmental impact. The Department hereby approves the Environmental Assessment. If no significant comments are received during this comment period, the Environmental Assessment will be considered approved and funding for the project will be considered by PENNVEST.

To be considered, the Department must receive comments on this approval by April 15, 2019. Electronic comments should be submitted using the Department's eComment site at www.ahs.dep.pa.gov/eComment. Written comments can be submitted by e-mail to ecomment@pa.gov or by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "PENNVEST SRF-Environmental Assessment" as the subject line in written communication.

For more information about the approval of the following Environmental Assessment or the Clean Water and Drinking Water State Revolving Loan Programs contact Richard Wright at riwright@pa.gov or the Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-4059, or visit the Department's web site at <http://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx>.

Any comments received during the comment period, along with the Department's comment and response document will be available at the Department's web site at <http://www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/EnvironmentalReview.aspx>.

Upon their approval the full list of approved projects and their costs can be found in a press release on PENNVEST's web site at www.pennvest.pa.gov.

DWSRF Project Being Considered:

<i>Applicant:</i>	Municipal Authority of the Borough of Bedford
<i>County:</i>	Bedford
<i>Applicant Address:</i>	244 West Penn Street Bedford, PA 15522-1226

Project Description: The Municipal Authority of the Borough of Bedford (MABB) is undertaking a project to upgrade their existing water distribution system. Approximately 18,450 linear feet of antiquated waterline will be replaced with new 4-inch to 12-inch C900 polyvinyl chloride pipe. Fire hydrants will be added or replaced where appropriate. Service lines reconnecting the customer to the new line will also be installed. Most of the utility replacements are to occur within the Bedford Borough limits with the remainder occurring in Bedford Township.

Problem Description: The MABB's drinking water system is old, antiquated and leaking. Some sections of transite or asbestos-cement pipe and cast-iron pipe were installed prior to 1961 while others were installed between 1961—1989. The MABB averages an unaccounted-for-water usage of about 163,000 gallons per day since 2013.

PATRICK McDONNELL,
Secretary
Department of Environmental Protection

BRION JOHNSON,
Executive Director

Pennsylvania Infrastructure Investment Authority

[Pa.B. Doc. No. 19-479. Filed for public inspection March 29, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by April 15, 2019. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2019-3007171. Mare Fare, LLC (1030 Highfield Road, Bethel Park, Allegheny County, PA 15102) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service who are 55 years of age or older, between points in the Counties of Allegheny and Washington; excluding points in Washington County that are over 15-statute miles from Mare Fare, LLC's principal place of business. *Attorney:* Endia J. Vereen, Esquire, Sherrard German & Kelly, PC, 535 Smithfield Street, Suite 300, Pittsburgh, PA 15222.

A-2019-3007248. Elite EMS, Inc. (3625 East State Street, Hermitage, Mercer County, PA 16148) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to nonambulatory persons that require wheelchair van or ambulant transport, from points in Mercer and Lawrence Counties, to points in Pennsylvania, and return.

A-2019-3007581. Fortune Transportation Group, LLC (1818 Jericho Road, Warrington, Bucks County, PA 18976) persons in paratransit service, from points in Delaware County, and the City and County of Philadelphia, to points in Pennsylvania, and return. *Attorney:* David P. Temple, 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

Application of the following for approval to begin operating as contract carriers for transportation of persons as described under the application.

A-2019-3007866. Judy's Team, Inc., d/b/a Judy's Team (4214 Campbells Run Road, Pittsburgh, Allegheny County, PA 15205) for the right to begin to transport, as a contract carrier, by motor vehicle, persons for Coordinated Transportation Solutions, Inc. between points in Pennsylvania.

Application of the following for the approval of the right and privilege to *discontinue/abandon* operating as *common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2019-3008555. Raymond K. Elmer, t/a K & D Trucking (105 Engletown Road, Honey Brook, Chester County, PA 19344) discontinuance of service and cancellation of his certificate, to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Lancaster and Chester Counties, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-480. Filed for public inspection March 29, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Transfer by Sale

A-2019-3008577. PECO Energy Company. Application of PECO Energy Company for approval of the transfer by sale to Covered Bridge Crossing HOA of street lighting facilities located in Chester County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 15, 2019. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: PECO Energy Company

Through and By Counsel: John C. Halderman, Assistant General Counsel, PECO Energy Company, 2301 Market Street, S23-1, P.O. Box 8699, Philadelphia, PA 19101-8699

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-481. Filed for public inspection March 29, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Transfer by Sale

A-2019-3008669. PPL Electric Utilities Corporation. Application of PPL Electric Utilities Corporation for approval of the transfer by sale to the City of Lancaster of electric facilities located in the City of Lancaster, Lancaster County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 15, 2019. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: PPL Electric Utilities Corporation

Through and By Counsel: Kimberly A. Klock, Senior Counsel, PPL Services Corporation, Two North Ninth Street, Allentown, PA 18101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-482. Filed for public inspection March 29, 2019, 9:00 a.m.]

