

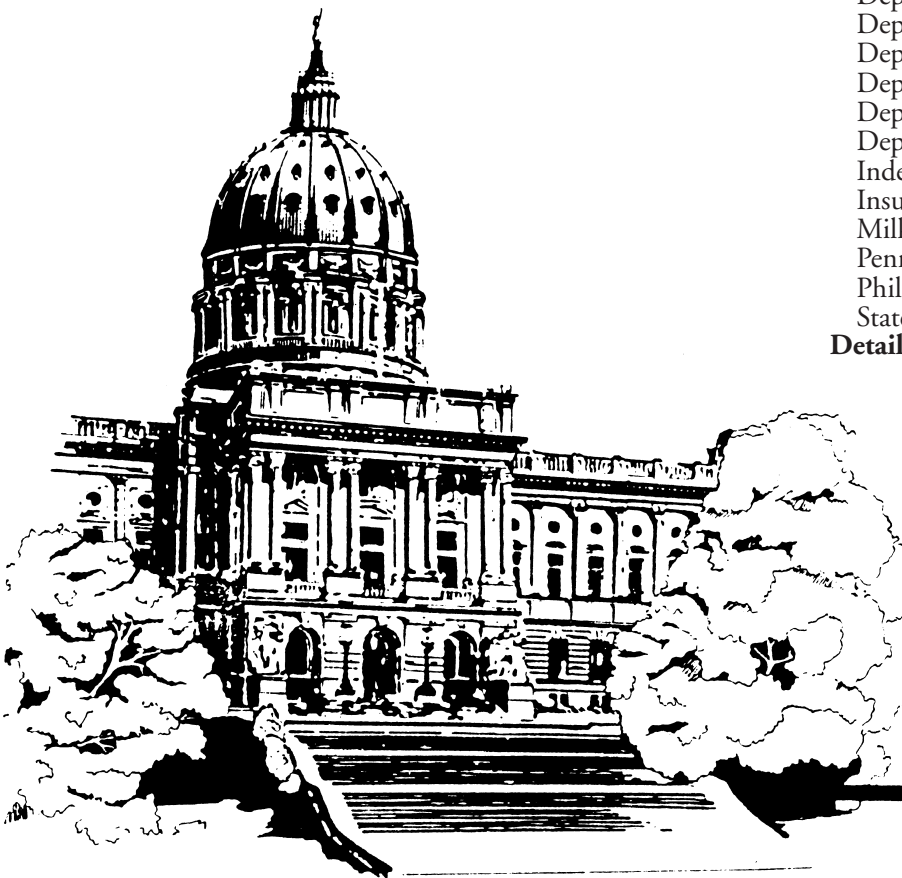
# PENNSYLVANIA BULLETIN

Volume 49  
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## Agencies in this issue

The Governor  
The Courts  
Bureau of Professional and Occupational Affairs  
Delaware River Basin Commission  
Department of Banking and Securities  
Department of Education  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Labor and Industry  
Department of Revenue  
Department of Transportation  
Independent Regulatory Review Commission  
Insurance Department  
Milk Marketing Board  
Pennsylvania Public Utility Commission  
Philadelphia Parking Authority  
State Board of Nursing

Detailed list of contents appears inside.



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

**No. 531, February 2019**

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

## *Pennsylvania Bulletin*

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

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

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

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

### **Adoption, Amendment or Repeal of Regulations**

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

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

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

## **Citation to the *Pennsylvania Bulletin***

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

## ***Pennsylvania Code***

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

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

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

### **How to Find Rules and Regulations**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacode.com](http://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](http://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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#### *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**.

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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

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

[ 4 PA. CODE CHS. 1 AND 5 ]

[ EXECUTIVE ORDER NO. 2019-01 ]

#### **Commonwealth Leadership in Addressing Climate Change and Promoting Energy Conservation and Sustainable Governance; Governor's Green Government Council**

January 8, 2019

*Whereas*, the Constitution of Pennsylvania protects the Commonwealth's citizens' rights to life, liberty, possessing and protecting property, and happiness. Further, the Constitution of Pennsylvania and various other laws also preserve the Commonwealth's citizens' right to clean air, pure water, and the preservation of the natural, scenic, historic and aesthetic values of the environment; and

*Whereas*, the Commonwealth government has long protected, valued, and recognized these rights, specifically under Executive Orders: 1973-9 Environmental Protection by State Agencies; 1980-3 Life Cycle Costing; 1998-1 Governor's Green Government Council; 2002-8 Governor's Interagency Task Force on Energy; and 2004-12 Energy Management and Conservation in Commonwealth Facilities; and

*Whereas*, climate change impacts in the Commonwealth are real and continue to put Pennsylvanians at risk: in recent years, extreme weather and natural disasters have become more frequent and more intense. Like many areas of the United States, Pennsylvania is expected to experience higher temperatures, changes in precipitation, and more frequent extreme weather events and flooding because of climate change in the coming decades; and

*Whereas*, the Commonwealth is committed to further reducing its net greenhouse gas emissions which, left unchecked, would create a high risk of irreversible, widespread, severe climate impacts in the Commonwealth and beyond; and

*Whereas*, as a major energy provider, Pennsylvania can take steps to continue to reduce emissions in the power sector, increase reliance on clean energy and improved energy efficiency, and continue reductions of potent greenhouse gasses such as methane; and

*Whereas*, as a major transportation hub, Pennsylvania can take steps to increase reliance on low-carbon transportation solutions, and reduce emissions from the transportation fleet; and

*Whereas*, Pennsylvania's economy, health and safety, and quality of life of its citizens are dependent on the careful stewardship of resources, a healthy economy, and the development of technologies to enable economic growth while protecting the environment; and

*Whereas*, Pennsylvania has a robust clean energy sector that provides tens of thousands of good paying jobs in construction, manufacturing, clean technology, and services across the state; and a wealth of job-training programs to prepare workers for jobs in the energy efficiency and clean energy fields; and

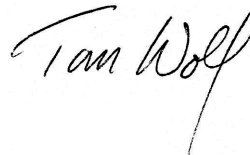
*Whereas*, Commonwealth agencies can continue to demonstrate their commitment to both environmental and fiscal stewardship by implementing best practices to reduce energy and resource consumption, improve energy efficiency, realize cost savings, and protect the environment; and

*Whereas*, the Commonwealth is committed to joining and working with businesses and industry in this Commonwealth to reduce emissions through pollution prevention and improved energy efficiency; and



Whereas, the Commonwealth is resolved to do its part to address climate change, the most critical environmental threat confronting the world.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby reestablish the Governor's Green Government Council, and do order and direct as follows:



Governor

**Fiscal Note:** GOV-2019-01. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 4. ADMINISTRATION**

**PART I. GOVERNOR'S OFFICE**

**CHAPTER 1. AGENCY OPERATION AND ORGANIZATION**

**Subchapter PP. ENERGY MANAGEMENT AND CONSERVATION IN COMMONWEALTH FACILITIES**

§§ 1.501—1.505. (Reserved).

**CHAPTER 5. COUNCILS AND COMMITTEES**

**Subchapter OOO. GOVERNOR'S GREEN GOVERNMENT COUNCIL**

§§ 5.951—5.958. (Reserved).

**Subchapter SSS. Governor's Green Government Council.**

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5.1001.	Climate goal for the Commonwealth.
5.1002.	Performance goals for State agencies.
5.1003.	GreenGov Council mission.
5.1004.	Composition of the GreenGov Council.
5.1005.	GreenGov Council responsibilities.
5.1006.	Responsibilities of Commonwealth agencies.
5.1007.	Independent agencies, State-affiliated entities, and State-related entities.
5.1008.	Effective date.
5.1009.	Rescission.

**§ 5.1001. Climate goal for the Commonwealth.**

The Commonwealth shall strive to achieve a 26% reduction of net greenhouse gas emissions statewide by 2025 from 2005 levels, and an 80% reduction of net greenhouse gas emissions by 2050 from 2005 levels.

**§ 5.1002. Performance goals for State agencies.**

(a) All agencies under the Governor's jurisdiction shall:

(1) Collectively reduce overall energy consumption by 3% per year, and 21% by 2025 from 2017 levels.

(2) Replace 25% of the state passenger car fleet with battery electric and plug-in electric hybrid cars by 2025 and evaluate opportunities for the reduction of vehicle miles traveled and incorporation of new technology where appropriate.

(3) Procure renewable energy to offset at least 40% of the Commonwealth's annual electricity use and evaluate opportunities to source electricity through Pennsylvania Certified Tier I credits, and/or direct purchase of renewable power generation sited within the Commonwealth.

(b) Any new building construction project, build-to-suit leased building, or renovation project by a Commonwealth agency that costs more than 50% of the replacement cost of the building, where the design of the project commences after the effective date of the Executive Order, shall be designed and constructed as a high-performance building achieving a 10% reduction in energy consumption over ANSI/ASHRAE/IES Standard 90.1.2016. Agencies may seek US Green Building Council LEED certification, Green

Building Initiative Green Globe rating, or a comparable numeric rating from another accredited sustainable building certification program where appropriate.

**§ 5.1003. GreenGov Council mission.**

The GreenGov Council shall encourage the incorporation of environmentally sustainable practices into the Commonwealth government's policy, planning, operations, procurement, and regulatory functions, and strive for continuous improvement in efficiency and performance, to achieve the goals set forth above.

**§ 5.1004. Composition of the GreenGov Council.**

The GreenGov Council (Council) shall consist of the Secretaries of the Departments of General Services, Environmental Protection and Conservation and Natural Resources, who shall chair the Council jointly, as well as other individuals the Governor shall appoint.

**§ 5.1005. GreenGov Council responsibilities.**

The GreenGov Council (Council) shall serve as a central coordinating body to promote the implementation of this Order and the achievement of the Goals set forth above. In this role, the Council shall:

(1) Establish a schedule of regular meetings with designated representatives of Commonwealth agencies to review methods, policies, programs and actions that will implement the objectives of this Order and evaluate and track progress towards meeting the Performance Goals.

(2) Establish and administer a GreenGov certification program to assess agencies' efforts to implement cost-effective conservation and efficiency strategies and achieve the Performance Goals.

(3) Prepare, issue and maintain an electronic GreenGov Certification Checklist, containing a menu of measures and strategies which may be employed by Commonwealth agencies to achieve certification in the GreenGov program.

(4) Work with all agencies to develop procedures to reduce energy and other utility usage and costs in all Commonwealth-owned and leased facilities.

(5) Examine opportunities to provide additional training and acknowledgment programs to enable and encourage Commonwealth agencies to become more proficient in identifying opportunities and implementing best practices for energy conservation and efficiency, and create incentives for further improvements.

**§ 5.1006. Responsibilities of Commonwealth agencies.**

(a) All Commonwealth agencies shall work to achieve the Goals set forth in this subchapter. In particular, all agencies shall:

(1) Develop policies to incorporate the strategies outlined in this subchapter to achieve the Commonwealth's Performance Goals.

(2) Seek to implement new cost-effective conservation, sustainability, and efficiency strategies in order to achieve GreenGov certification. Complete and submit to the GreenGov Council (Council) a GreenGov Certification Checklist within 6 months of establishment of the certification program, and yearly thereafter.

(3) Cooperate with the Department of General Services to track and analyze agency utility usage through the Commonwealth's utility bill management system.

(4) Establish energy and other utility performance benchmarks for all Commonwealth-owned facilities over 20,000 square feet which are cooled or heated over which the agency has jurisdiction.

(5) Designate an Agency Representative at the Deputy Secretary or equivalent level to attend meetings of the Council and ensure compliance and implementation of the necessary activities and measures to achieve the Goals.

(6) Evaluate opportunities and implement, where practical, renewable and clean energy resources, energy and resource conservation, and energy efficiency best practices at Commonwealth facilities.

(7) Work collaboratively to conserve energy and promote sustainable resources and best energy and resource management practices.

(8) Propose and support Guaranteed Energy Savings Act (“GESA”) projects for recommendation to Department where cost-effective and appropriate.

(9) Provide to the Council, or Department, any requested information and data needed to implement the intent of this subchapter.

(10) Contribute a proportional share of costs to support the Council and the annual Commonwealth Comprehensive Energy and Utility Usage Report.

(b) The Department of General Services:

(1) Coordinate with all agencies to include green building, energy conservation, and energy efficiency practices as part of any new construction and renovation projects.

(2) Work with all agencies to track and analyze agency utility bills through Pennsylvania’s utility bill management system.

(3) Provide agencies with access to current utility bill performance data.

(4) Benchmark Commonwealth facilities’ energy efficiency against Federal and association standards.

(5) Consider life cycle cost analysis in the selection of new energy sources, products, systems, and controls in conjunction with new construction and renovation projects.

(6) Develop and implement programs to train appropriate personnel in benchmarking, energy conservation and energy efficiency.

(7) Pursue and facilitate the development of new GESA projects with all Commonwealth agencies.

(8) Contract for an annual Commonwealth Comprehensive Energy and Utility Usage Report covering all Commonwealth agencies.

(9) Research, recommend, and develop vehicle fleet sustainability practices and metrics consistent with leading fleet accreditation programs.

(c) The Department of Environmental Protection shall:

(1) Provide advice and assistance to the Council and agencies in developing cost-effective conservation, sustainability, and efficiency strategies necessary to implement the requirements of this subchapter.

(2) On an ongoing basis, develop and recommend additional no-cost and low-cost management and conservation measures which may be implemented by the Department of General Services and Commonwealth agencies.

(3) Assist the Department in developing and implementing long-range management and conservation plan goals and options to be applied in Commonwealth facilities.

(d) The Department of Conservation and Natural Resources shall:

(1) Offer technical assistance and references on green building and site design, low-water landscaping, and related topics.

(2) Provide demonstrations of its high-performance buildings and sites and alternative energy and transportation installations and operations.

(3) Continue to invest in green building and sites projects on state parks and forest lands and in communities.

**§ 5.1007. Independent agencies, State-affiliated entities, and State-related entities.**

Independent agencies, state-affiliated entities, and State-related agencies are encouraged to participate in the goals and provisions of this subchapter.

**§ 5.1008. Effective date.**

This subchapter shall take effect immediately and shall remain in effect until amended or rescinded by the Governor.

**§ 5.1009. Rescission.**

Executive Orders 1998-1 and 2004-12 are hereby rescinded.

[Pa.B. Doc. No. 19-131. Filed for public inspection February 1, 2019, 9:00 a.m.]

\_\_\_\_\_

# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART V. PROFESSIONAL ETHICS AND CONDUCT [ 204 PA. CODE CHS. 89 AND 93 ]

#### Amendments to Rules of Organization and Procedure of the Disciplinary Board of the Supreme Court of Pennsylvania; Order No. 87

By this Order, the Disciplinary Board of the Supreme Court of Pennsylvania is amending its Rules of Organization and Procedure to modify Rule § 89.278 regarding reinstatement filing fees and Rule § 93.111 regarding administrative fees.

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

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

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

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

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

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

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

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

JESSE G. HEREDA,  
*Executive Director*

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART V. PROFESSIONAL ETHICS AND CONDUCT

##### Subpart C. DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

##### CHAPTER 89. FORMAL PROCEEDINGS

##### Subchapter F. REINSTATEMENT AND RESUMPTION OF PRACTICE

##### REINSTATEMENT OF FORMERLY ADMITTED ATTORNEYS

#### § 89.278. Expenses of reinstatement proceedings.

Enforcement Rule [ 218(f) ] 218(f)(1) provides that a non-refundable reinstatement filing fee shall be

assessed against a petitioner-attorney. A filing fee schedule is set forth in the rule. Enforcement Rule 218(f)(2) provides that the Supreme Court in its discretion may direct that the necessary expenses incurred in the investigation and processing of the petition for reinstatement be paid by the petitioner-attorney[ ; a reinstatement fee of \$300 shall be assessed against a petitioner-attorney who was administratively suspended at the time of the filing of the petition; and the ]. The annual fee required by Enforcement Rule 219(a) [ and the reinstatement fee, if applicable, ] for the current year shall be paid to the Attorney Registration Office after the Supreme Court order is entered.

#### CHAPTER 93. ORGANIZATION AND ADMINISTRATION

##### Subchapter G. FINANCIAL MATTERS

##### TAXATION OF COSTS

#### § 93.111. Determination of reimbursable expenses.

(a) *General rule.* Enforcement Rule 208(g)(2) provides that expenses taxable by the Board pursuant to § 89.205(b) (relating to informal admonition, private reprimand or public reprimand following formal hearing) shall be prescribed by these rules. See also § 89.209 (relating to expenses of formal proceedings) and § 89.278 (relating to expenses of reinstatement proceedings).

(b) *Enumeration of expenses.* Taxable expenses under these rules shall include, but not be limited to, the following:

- (1) court reporter fees and transcript costs;
- (2) the fees and expenses of expert and other witnesses;
- (3) the cost of serving subpoenas, pleadings and briefs;
- (4) the charges by banks and other institutions for production of statements, checks and other records in response to subpoenas or otherwise;
- (5) the cost of reproducing documents introduced or offered as evidence at hearings;
- (6) the cost of reproducing pleadings and briefs, and
- (7) the cost of publishing notices in the legal journal and a newspaper of general circulation as required by Enforcement Rule 217(f) (relating to publication of a notice of suspension, disbarment, administrative suspension or transfer to inactive status) or § 89.274(b) (relating to publication of a notice of reinstatement hearing).

(c) *Administrative fee.* Enforcement Rule 208(g)(4) provides that [ the expenses taxable under § 89.205(b) (relating to informal admonition, private reprimand, or public reprimand following formal hearing) or § 89.209 (relating to expenses of formal proceedings) may include an administrative fee except that an administrative fee shall not be included where the discipline imposed is an informal admonition; and that the administrative fee shall be \$250 ] in addition to the payment of any expenses under Enforcement Rule 208(g)(1) or (g)(2), a respondent-attorney shall pay upon the final order of discipline an administrative fee, pursuant to the schedule set forth in the rule.

[Pa.B. Doc. No. 19-132. Filed for public inspection February 1, 2019, 9:00 a.m.]



## Title 231—RULES OF CIVIL PROCEDURE

### PART II. ORPHANS' COURT RULES

#### [ 231 PA. CODE CH. 5 ]

#### Proposed Adoption of Pa. O.C. Rule 5.50

The Orphans' Court Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the adoption of Pa. O.C. Rule 5.50, providing for petitions for the settlement of small estates pursuant to 20 Pa.C.S. § 3102, for the reasons set forth in the accompanying publication 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 be officially adopted by the Supreme Court.

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

Orphans' Court Procedural Rules Committee  
Supreme Court of Pennsylvania  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
FAX: 717-231-9526  
orphanscourtproceduralrules@pacourts.us

All communications in reference to the proposal should be received by March 4, 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 Orphans' Court  
Procedural Rules Committee*

WAYNE M. PECHT, Esq.,  
*Chair*

#### Annex A

### Title 231. RULES OF CIVIL PROCEDURE

#### PART II. ORPHANS' COURT RULES

#### CHAPTER 5. RULES GOVERNING SPECIFIC TYPES OF PETITIONS

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

#### Rule 5.50. Settlement of Small Estates by Petition.

(a) *Applicability.* This Rule applies to all petitions filed pursuant to 20 Pa.C.S. § 3102, pertaining to settlement of small estates by petition.

(b) *Contents.* A petition shall set forth the following:

(1) *Estate.*

(i) the name and address of each petitioner and the petitioner's relationship to the decedent;

(ii) the decedent's name, date of death, and domicile at the time of death;

(iii) a statement whether the decedent died testate or intestate and, if testate, that the original will is attached, or that the original will cannot be produced, the reason it cannot be produced, and that a photocopy of the original will is attached;

(iv) the name and address of each testate or intestate heir, as applicable; and

(v) whether a claim for family exemption is included, and a statement that the claimant resided with the decedent at the date of death and if the claimant is the surviving spouse, that he or she has not forfeited the right to claim the family exemption.

(2) *Assets.* All assets of decedent's estate, other than real estate, and the value of each asset. If it appears that all creditors cannot be paid in full, then include all other assets in which the decedent had an interest as a joint tenant with right of survivorship, together with the value of each such asset and decedent's fractional interest therein.

(3) *Liabilities.*

(i) the names and addresses of all known creditors, total amounts claimed by each, whether the debts have been satisfied, and an itemized list of all debts, including whether or not admitted, a description of the property claimed and the gross value thereof, and whether there is any objection to the debt, and if so, by whom;

(ii) an itemized list of unpaid administrative expenses, unpaid taxes, all other unpaid debts, and, if insolvent, as prioritized under 20 Pa.C.S. § 3392; and

(iii) whether a Statement of Claim Request Form, as required to comply with the Medical Assistance Estate Recovery Program, was sent to the Department of Human Services, the date the form was sent, and the response received from the Department.

(4) *Distribution.*

(i) the name of any distributee paid prior to the filing of the petition, including the nature and amount of each payment;

(ii) the name of each proposed distributee and respective proposed distribution;

(iii) the name of each interested person who has consented to or joined in the petition; and

(iv) the names of each testate or intestate heir, as applicable, who has not consented to or joined in the petition.

(5) *Taxes.* A statement that a Pennsylvania inheritance tax return need not be filed and the reason for such assertion, or a statement that a Pennsylvania inheritance tax return has been filed, that all taxes due thereon have been paid in full, and that proof of such payment is attached to the petition, or the reason why payment has not occurred.

(c) *Exhibits.* The following items shall be attached as exhibits to the petition in the following order:

(1) an original death certificate;

(2) the decedent's will, if any;

(3) Pennsylvania Department of Revenue Notice of Appraisal and Assessment of Tax;

(4) original consents, joinders, and statements of no objection signed by interested parties; and



(5) a copy of any correspondence received from the Department of Human Services in response to the Statement of Claim Request Form referenced in subparagraph (b)(3)(iii).

(d) *Notice.* The petitioner shall serve written notice on interested parties in compliance with Chapter III.

**Explanatory Comment:** In subparagraph (b)(3), the term creditors includes creditors of the decedent on the date of death, providers of funeral services, and providers of goods and services to the petitioner arising from settlement of the estate.

The Medical Assistance Estate Recovery Program, established by federal law, requires the Commonwealth to recover the Medical Assistance costs from decedents' estates. *See* 42 U.S.C. § 1396p; 62 P.S. § 1412.

*See* Rule 3.4(b) for the requirement to attach a proposed form of decree to a petition.

The filings required by this rule are subject to the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. *See* Rule 1.99.

### PUBLICATION REPORT

#### Proposed Adoption of Pa. O.C. Rule 5.50

The Orphans' Court Procedural Rules Committee ("Committee") is planning to propose to the Supreme Court of Pennsylvania the adoption of new Pa. O.C. Rule 5.50. This rule will set forth the contents of a petition filed pursuant to 20 Pa.C.S. § 3102, pertaining to the settlement of small estates.

Pursuant to 20 Pa.C.S. § 3102, a "small estate" is one with a gross value not exceeding \$50,000 ("exclusive of real estate and property payable under 20 Pa.C.S. § 3101 (relating to payments to family and funeral directors) but including property claimed as the family exemption"). Upon reviewing several local rules addressing small estate petitions, the Committee considered whether a statewide rule governing such petitions would be beneficial. The Committee established a subcommittee, which examined local rules and polled counties on the extent of small estate practice. The subcommittee recommended that the Committee draft a statewide rule addressing these types of petitions, and identified certain information and exhibits that should be included in petitions for the settlement of small estates.

Accordingly, the Committee proposes the adoption of new Rule 5.50 to prescribe the contents of a petition filed to settle a small estate pursuant to 20 Pa.C.S. § 3102. The Committee invites all comments, concerns, and suggestions regarding this proposal.

[Pa.B. Doc. No. 19-133. Filed for public inspection February 1, 2019, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BEDFORD COUNTY

#### Guardianship Compliance Officer; No. AD 1 for the Year 2019

#### Administrative Order of Court

*And Now*, this 8th day of January, 2019, the Court enters the following Administrative Order to ensure compliance with the Pennsylvania Orphans' Court rules

regarding guardianship reporting, monitoring, and compliance. Pursuant to Pa. O.C. Rule 14.8. The Court directs the following:

1. The Court hereby designates a Guardianship Compliance Officer who shall be responsible for ensuring the inventories and reports described in Pa. O.C. Rule 14(a), (1), (2), (3), (4), and (5) are completed and filed in accordance with the Rules.

2. The Guardianship Compliance Officer may, in their discretion utilize any of the compliance procedures described in Pa. O.C. Rule 14.8(f) to remedy incomplete or delinquent reports or inventories.

3. The Bedford County Clerk of Orphans' Court and staff are directed to advise the Guardianship Compliance Officer of delinquent or incomplete inventories and reports.

4. The Guardianship Compliance Officer shall be a member of the Bar of the Pennsylvania Supreme Court.

5. The Guardianship Compliance Officer shall submit billings for services rendered periodically to the Court for reimbursement at the rate of \$65.00 per hour for any and all work performed. Said invoices shall list the docket number and name of each guardianship, a brief description of the services performed, and the hours or parts of an hour involved.

6. Carol Ann Rose, Esquire, is designated as the Guardianship Compliance Officer to serve at the discretion of the President Judge.

7. This Local Rule of Judicial Administration shall become effective thirty (30) days after the publication in the *Pennsylvania Bulletin*.

8. The Bedford County District Court Administrator is Ordered and Directed to do the following:

a. Forward one (1) copy of this Administrative Order to the Administrative Office of Pennsylvania Courts via e-mail to [adminrules@pacourts.us](mailto:adminrules@pacourts.us).

b. Send two (2) paper copies of this Local Rule of Judicial Administration together with one (1) electronic copy in a Microsoft Word format only to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

c. Publish a copy of the Local Rule of Judicial Administration on the Bedford County Court website at [www.bedfordcountypa.org](http://www.bedfordcountypa.org) and thereafter compile the Local Rule of Judicial Administration within the complete set of Local Rules no later than thirty (30) days after the Local Rule of Judicial Administration becomes effective.

d. File one (1) copy of the Local Rule of Judicial Administration in the Office of the Prothonotary of Bedford County and in the Bedford County Law Library for public inspection and copying.

*By the Court*

THOMAS S. LING,  
*President Judge*

[Pa.B. Doc. No. 19-134. Filed for public inspection February 1, 2019, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### BLAIR COUNTY

#### Local Rules; No. 2019 MD 78

Now this 16th day of January, 2019, it appearing that this Court should establish procedures which will provide to parties involved in custody cases access to systems through which resolution of their controversies may be accomplished via mediation and agreement, and in the case of matters involving a request for less than full physical custody of children, hearing in front of a hearing officer, while providing full accessibility to the opportunity for litigation before the court, this Court concludes that the following order is appropriate:

It is hereby ordered, directed, and decreed that these local rules for custody cases (following hereto and made part hereof) are adopted and shall be applicable to all custody proceedings filed in this Court after the 30th day after the publication of said rules in the *Pennsylvania Bulletin* as required by the Supreme Court of Pennsylvania. All previous Blair County Local Rules for Custody are rescinded where inconsistent with these newly adopted rules.

By the Court

ELIZABETH A. DOYLE,  
President Judge

#### **Rule 1915.3. Commencement of action. Complaint. Order.**

All actions for custody, partial custody and supervised physical custody of minor children, including divorce complaints, shall be commenced by the filing of a verified complaint and scheduling order as required by Pa.R.C.P. 1915.3 and Local Rule 1915.3 (Form 1).

#### **Rule 1915.4-2. Procedures for Request for Full or Partial Custody. Office Conferences. Hearing record. Exception. Order.**

*Preface:*

Any custody case in Blair County shall proceed through office conference(s) and a prehearing or pretrial conference before being scheduled for a hearing before a hearing officer or a custody evidentiary trial before a judge.

*Definitions:*

1. *Office Conference. (Intake Conference, Conciliation Conference, Prehearing Conference, Pretrial Conference.)*

a) *Intake Conference.* The parties and/or their counsel shall attend the Intake Conference which shall be conducted by the intake conference officer or designated individual within approximately 45 days after the filing of the complaint or modification petition so the parties will have had an opportunity to attend the Children First program in accordance with local rule 1915.3.

The Intake Conference is not a hearing, but an opportunity for parties to reach agreement early in the custody process. No evidence or testimony is presented. The goal of the intake conference is to (1) assist the parties in identifying areas of agreement and disagreement and sharing parenting responsibilities and (2) develop a parenting plan that best suits them and their children.

b) All agreements reached at Intake Conference shall be reduced to a Consent Agreement (Form 2)

c) If agreement on all issues is not reached, then a temporary agreement may be entered into by the parties and a Conciliation Conference scheduled to further address the unresolved issues.

d) *Conciliation Conference.* The Conciliation Conference will be conducted by the Custody Conciliator, whose role is to actively engage the parties in reaching a custody agreement using mediation skills and techniques.

A Conciliation Conference is informal, with no record created or testimony elicited from parties and is scheduled for one hour or as needed. The parties are given the opportunity to present the issues or problems and explore all available options for resolution.

e) All agreements reached at Conciliation Conference shall be reduced to a Consent Agreement (Form 2)

f) If agreement on all issues is not reached, then a temporary agreement may be entered into by the parties and the unresolved issues will be addressed by the court upon the filing of the Request for Evidentiary Hearing/Trial (Form 3) in the Prothonotary office.

g) Participation will be limited to the parties and/or their counsel. All participants must act in a cooperative matter and comply with the directives of the person conducting the conference.

h) If the respondent fails to appear at the conference before the conference officer as directed by the court, the conference may proceed without the respondent.

i) *Pretrial/Prehearing Conference*—after the conciliation conference, the matter shall proceed to prehearing or pretrial conference upon the filing of a Request for Evidentiary Hearing/Trial. A pretrial/prehearing conference shall be conducted by a hearing officer.

j) *Prehearing conference—concerning partial or supervised custody.* The parties shall have prehearing narratives filed ten days before the prehearing conference. The hearing officer may make a recommendation to the parties relating to partial or supervised physical custody of the child or children. If an agreement is reached at the conference, the hearing officer shall prepare a written order in conformity with the agreement for signature by the parties and submission to the court together with the officer's recommendation for approval or disapproval. The court may enter an order in accordance with the agreement without hearing the parties.

k) At the conclusion of the prehearing conference, if an agreement relating to partial or supervised physical custody has not been reached, the party shall be given notice of the date, time and place of the hearing before a hearing officer, which may be the same day, but in no event shall be more than 45 days from the date of the conference.

l) *Pretrial conference.* If the conference is a pretrial rather than prehearing conference, it shall be conducted by a pretrial hearing officer in preparation for a trial by the parties before a Blair County judge. The pretrial conference focuses on identification of issues to be resolved by the Court, unresolved discovery issues, any agreements of the parties, issues of and names of any expert witnesses to be called, proposed exhibits, request for an interview of a child, settlement or mediation of the case, and such other matters as may aid in the disposition of the case. The parties or attorneys are responsible for estimating to the pretrial hearing officer how much time they believe their case will realistically take. A time and date for the evidentiary hearing will be set. Any requirement for the filing of briefs will be discussed. A

summary of the conference will be forwarded by the pretrial hearing officer to a Judge in preparation for trial.

Procedure

Listing Trial or Hearing before the Court

a) Within 10 days from the date of service of a custody order from a conciliation conference, a party may file a Request for Evidentiary Hearing/Trial (Form 3) in the Blair County Prothonotary office.

1) There is no filing fee required. The request form must be served on the other counsel/party with the specific issues identified for consideration in the evidentiary hearing/trial. The request form shall be forwarded by the prothonotary to the custody office for a date to be assigned for a prehearing or pretrial conference.

2) The parties must specify whether they are asking for shared physical and legal custody, partial physical and legal custody, supervised physical custody, primary physical custody, or sole legal custody.

3) The parties must specify whether their matter is so complex that it should not be heard by a hearing officer even though they are not asking for primary physical custody.

Hearing or Trial. If the parties have identified, or are identified by a prehearing conference officer or by the court, as asking for shared or partial custody, or asking for supervised physical custody, except as provided by Rule 1915.4-1(b)(1) or (b)(2), after intake/conciliation they shall proceed to hearing with a hearing officer, as set out below. If the parties have identified, or are identified by a prehearing conference officer or by the court, as asking for sole legal or primary physical custody, they shall proceed to a custody evidentiary trial before the court as outlined below.

Prehearing/Pretrial narratives required.

4) 10 days prior to the prehearing/pretrial conference, the parties and/or counsel shall submit to the Prothonotary office a narrative, including but not limited to the following:

(i) Names and addresses of all witnesses, including experts.

(ii) Copies of all exhibits

(iii) A detailed proposed custody arrangement for both parties that encompasses time with both parents. The arrangements should be prepared from the perspective that each party would consider the proposal reasonable if it applied to them.

(iv) requested stipulation of facts and anticipated length of trial.

(v) Statement if needed regarding unique circumstances of the case which will require a time allotment of more than one half day of trial, as per Blair County Administrative Order.

If no narrative is filed, the offending party could be found in contempt by the Court after hearing, and fined or sanctioned by the Court.

Trial

A matter in which the parties are seeking primary custody or sole legal custody shall proceed to custody intake and custody conciliation and pretrial conference, as defined above, before trial. The trial before the court shall be de novo. The court shall hear the case and render a decision within the time period set forth in Pa.R.C.P. No. 1915.4.

Comment: The purpose of this revised Local Rule, which adds a hearing officer to the court's options for litigants, is to add to the Court's ability to efficiently accommodate litigants who are seeking either partial periods of custody, including shared custody, of their children, or who are asking for supervised physical custody.

Certification: I hereby certify that Blair County generally conducts its custody proceedings in accordance with Pa.R.C.P. No. 1915.4-2.

ELIZABETH A. DOYLE,
President Judge

Form (1)
IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

Plaintiff : NO.
vs. :
Defendant : CUSTODY

COMPLAINT FOR CUSTODY

1. The Plaintiff is \_\_\_\_\_, residing at

(street) (city)
(state) (zip code) (county)

Phone: \_\_\_\_\_

2. The Defendant is \_\_\_\_\_, residing at

(street) (city)
(state) (zip code) (county)

Phone: \_\_\_\_\_

3. Plaintiff seeks:

LEGAL CUSTODY:

- \_\_\_\_\_ shared legal custody (The right to make major decisions on behalf of the child, including, but not limited to, medical, religious and educational decisions are shared.)
- \_\_\_\_\_ sole legal custody (The right to make major decisions on behalf of the child, including, but not limited to, medical, religious and educational decisions is made by one individual.)

PHYSICAL CUSTODY:

- \_\_\_\_\_ partial physical custody (The right to assume physical custody of the child for less than a majority of the time.)
- \_\_\_\_\_ primary physical custody (The right to assume physical custody of the child for the majority of the time.)
- \_\_\_\_\_ shared physical custody (The right of more than one individual to assume physical custody of the child, each having significant periods of physical custodial time with the child.)
- \_\_\_\_\_ sole physical custody (The right of one individual to exclusive physical custody of the child.)
- \_\_\_\_\_ supervised physical custody (Custodial time during which an agency or an adult designated by the court or agreed upon by the parties monitors the interaction between the child and the individual with those rights.)

of the child(ren) identified on the Confidential Information Form first column. (204 Pa. Code § 213.81)

\*\*\*Do not list names and date of birth of children on this form, identify by numerals or initials corresponding to attached Confidential Information Form.

Child \_\_\_\_\_ Child \_\_\_\_\_ Child \_\_\_\_\_ Child \_\_\_\_\_

List additional children as necessary.

The child(ren) (was/were) (was not/were not) born out of wedlock.

The child(ren) is/are presently in the custody of \_\_\_\_\_ who resides at

\_\_\_\_\_ (street) \_\_\_\_\_ (city) \_\_\_\_\_ (state) \_\_\_\_\_ (zip code) \_\_\_\_\_ (county)

During the past five years, the child(ren) has/have resided with the following persons and at the following addresses:

List all persons	List all addresses	Dates
_____	_____	_____
_____	_____	_____
_____	_____	_____

The Mother of the child is \_\_\_\_\_, currently residing at

\_\_\_\_\_ (street) \_\_\_\_\_ (city) \_\_\_\_\_ (state) \_\_\_\_\_ (zip code) \_\_\_\_\_ (county)

The Father of the child is \_\_\_\_\_, currently residing at

\_\_\_\_\_ (street) \_\_\_\_\_ (city) \_\_\_\_\_ (state) \_\_\_\_\_ (zip code) \_\_\_\_\_ (county)

4. The relationship of the Plaintiff to the child(ren) is that of \_\_\_\_\_. The Plaintiff currently resides with the following persons:

Name	Relationship
_____	_____
_____	_____

5. The relationship of the Defendant to the child(ren) is that of \_\_\_\_\_. The Defendant currently resides with the following persons:

Name	Relationship
_____	_____
_____	_____

6. Plaintiff (has) (has not) participated as a party or witness, or in another capacity, in other litigation concerning the custody of the said child in this or another court. The court, term number, and its relationship to this action is: \_\_\_\_\_.

Plaintiff (has) (has no) information of a custody proceeding concerning the child pending in a court of this Commonwealth or any other state. The court, term and number, and its relationship to this action is: \_\_\_\_\_.

Plaintiff (knows) (does not know) of a person not a party to the proceedings who has physical custody of the child or claims to have custodial rights with respect to the child. The name and address of such person is:

7. The best interest and permanent welfare of the child(ren) will be served by granting the relief requested because (set forth facts showing that the granting of the relief requested will be in the best interest and permanent welfare of the child)

8. Each parent whose parental rights to the child(ren) have not been terminated and the person who has physical custody of the child(ren) have been named as parties to this action. All other persons, named below, who are known to have or claim a right to custody of the child(ren) will be given notice of the pendency of this action and the right to intervene:

Name	Address	Basis of Claim
_____	_____	_____
_____	_____	_____

9. a. If the plaintiff is a grandparent who is not in loco parentis to the child and is seeking physical and/or legal custody pursuant to 23 Pa.C.S. § 5323, you must plead facts establishing standing pursuant to 23 Pa.C.S. § 5324(3).

b. If the plaintiff is a grandparent or great-grandparent to is seeking partial physical custody or supervised physical custody pursuant to 23 Pa.C.S. § 5325. You must plead facts establishing standing pursuant to § 5325.

c. If the plaintiff is a person seeking physical and/or legal custody pursuant to 23 Pa.C.S. § 5324(2) as a person who stands in loco parentis to the child, you must plead facts establishing standing:

10. I have attached the Criminal Record/Abuse History Verification form required pursuant to Pa.R.C.P. No. 1915.3-2.

WHEREFORE, Plaintiff requests the Court to grant Plaintiff

LEGAL CUSTODY

\_\_\_\_\_ shared legal custody                      \_\_\_\_\_ sole legal custody

PHYSICAL CUSTODY

\_\_\_\_\_ partial physical custody                      \_\_\_\_\_ primary physical custody  
\_\_\_\_\_ shared physical custody                      \_\_\_\_\_ sole physical custody  
\_\_\_\_\_ supervised physical custody

\_\_\_\_\_  
Plaintiff

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Plaintiff

**IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA**

\_\_\_\_\_  
Plaintiff

Vs.

\_\_\_\_\_  
Defendant

:  
:  
: No. \_\_\_\_\_  
:  
:  
: Custody  
:



**CUSTODY SCHEDULING ORDER**

You, \_\_\_\_\_ (Respondent) have been sued in Court to obtain custody, partial custody or supervised physical custody of the child(ren) identified on the Confidential Information Form first column. (204 Pa. Code § 213.81)

\*\*\*Do not list names and date of birth of children on this form, identify by numerals or initials corresponding to attached Confidential Information Form.

Child \_\_\_\_\_ Child \_\_\_\_\_ Child \_\_\_\_\_ Child \_\_\_\_\_

List additional children as necessary.

All parties of this custody action are hereby ORDERED to attend the Mandatory Parent Education Children First Program within forty—five (45) days of this order. All parties are required to contact the Children First Program at (814) 693-3292 within five (5) days of receipt of this order to register for said program.

Should the moving party fail to pay fees or fail to appear for the Education Program, the custody action shall be dismissed without prejudice and any fees paid by such party shall be forfeited.

Should the non-moving party fail to pay fees or fail to appear for the Education Program, an immediate Rule to Show Cause why such party should not be held in Contempt shall be issued from the court.

You are hereby ORDERED to appear in person on:

\_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ a.m./p.m. for an Intake/Conciliation Conference with \_\_\_\_\_ at the Blair County Courthouse, 423 Allegheny Street, New Wing, Third Floor, Suite 327 Hollidaysburg, Pa. 16648.

**NO CHILDREN SHALL ATTEND THE INTAKE/CONCILIATION CONFERENCE**

If you fail to appear for the Intake Conference, Conciliation Conference or any other scheduled proceeding as provided by this Order, an Order for Custody, Partial Custody or Supervised Physical Custody may be entered against you or the Court may issue a Warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

IF YOU CANNOT AFFORD A LAWYER

MIDPENN LEGAL SERVICES

205 Lakemont Park Blvd.  
ALTOONA, Pa. 16602  
(800) 326-9177

IF YOU DO NOT HAVE A LAWYER

BLAIR COUNTY LAWYER REFERRAL

Third Floor, New Wing (3C)  
Blair County Court House  
Hollidaysburg, Pa. 16648  
(814) 693-3090

**AMERICANS WITH DISABILITIES ACT OF 1990**

The court of Common Pleas of Blair County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact (814) 693-3050. All arrangements must be made seventy-two (72) hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

BY THE COURT

Date \_\_\_\_\_ j.

**Form (2)**

**IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA**

\_\_\_\_\_,  
Plaintiff(s)

VS.

NO: \_\_\_\_\_

\_\_\_\_\_,  
Defendant(s)

Custody

**CONSENT AGREEMENT/AGREED ORDER**

We have agreed to the following parenting plan for the custody of our child(ren):

1) The parents shall share the legal and physical custody of their child(ren).

The names of the child(ren) are as follows: (Names/DOB)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



2) The child(ren) shall reside with his/her/their Mother and Father. The mother's address is:

\_\_\_\_\_
The father's address is:

3) The parents agree that the time arrangements for the Father/ Mother with the child(ren) are as follows:

a) Weekends - \_\_\_\_\_

\_\_\_\_\_

b) Weekdays - \_\_\_\_\_

\_\_\_\_\_

c) Holidays -

Thanksgiving - \_\_\_\_\_

\_\_\_\_\_

Christmas - \_\_\_\_\_

\_\_\_\_\_

New Year's - \_\_\_\_\_

\_\_\_\_\_

Easter - \_\_\_\_\_

\_\_\_\_\_

Memorial Day, Fourth of July and Labor Day - \_\_\_\_\_

\_\_\_\_\_

4) Transportation - \_\_\_\_\_

\_\_\_\_\_

5) Other - \_\_\_\_\_

\_\_\_\_\_

6) The child(ren) shall be with the Mother on Mother's Day and with the Father on Father's Day.

7) The child(ren)'s birthday will be spent with whatever parent they are scheduled to be with.

8) Each party shall keep the other informed of their current address and telephone number.

9) Each party shall keep the other informed of the child(ren)'s health, progress in school, school activities, general welfare, and shall consult with the other parent concerning major decisions affecting the child(ren), to include education, religious training and medical treatment. If an emergency or illness requiring a physician's attention should occur to the child(ren) while in their physical custody each party must notify the other party.

10) Each parent is entitled to receive directly from schools, health care providers, or other relevant sources, information concerning their child(ren).

11) The parties shall not argue or engage in heated discussion in the presence of the child(ren).

12) Neither party shall engage in any conduct which presents to the child(ren) a negative or hostile view of the other nor shall they allow any third party to do or say anything that would hamper the natural love and respect of the child(ren) for either party.

13) Each parent shall encourage the child(ren) to comply with this parenting agreement and foster in the child(ren) a positive view of the other.

14) The party who has physical custody of the child(ren) should encourage, prepare and have the child(ren) available at the designated times and places so visitations occur smoothly. Likewise, the party exercising partial custody or visitation rights should encourage, prepare and return the child(ren) promptly at the designated times and places.

15) THE PARTIES MAY DECIDE DIFFERENT TIME ARRANGEMENTS AND MAKE DECISIONS FOR THE CHILD(REN) WHENEVER THEY MUTUALLY AGREE TO DO SO. NOTHING IN THIS AGREEMENT IS UNDERSTOOD TO LIMIT OR RESTRICT THE ABILITY OF THE PARTIES TO MUTUALLY AGREE ON ALTERNATIVE PARENTING ARRANGEMENTS. IF FOR ANY REASON THE PARTIES CANNOT AGREE, THE TERMS OF THE CONSENT AGREEMENT WILL BE FOLLOWED.

16) ALL HOLIDAY SCHEDULES SHALL SUPERSEDE ANY OTHER TIME ARRANGEMENT UNLESS THE PARTIES MUTUALLY AGREE TO DO OTHERWISE.

17) VIOLATION OF THIS ORDER BY ANY PERSON MAY RESULT IN CIVIL AND CRIMINAL PENALTIES, INCLUDING PROSECUTION PURSUANT TO SECTION 2904 OF THE PENNSYLVANIA CRIMES CODE, INTERFERENCE WITH CUSTODY OF CHILDREN.

18) Jurisdiction of the child(ren) shall remain with the court of common pleas of Blair County, Pennsylvania, unless jurisdiction would change under the Uniform Child Custody Jurisdiction Act.

19.) NOTICE OF OBLIGATIONS BEFORE YOU RELOCATE: No party shall relocate with the child/ren unless every individual who has custody rights consents to the proposed relocation, or the court approves the relocation. Any party who desires to relocate with the child/ren shall first notify every other individual who has custody rights. The party who desires to relocate with the child/ren must also comply with 23 Pa.C.S. 5337 ET SEQ. (A copy of this statute is available in the Blair County Custody Office.)

We agree to abide by the agreement developed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and submit it to the Court of Common pleas to be formalized into an order of Court.

_____	_____
Mother	Attorney
_____	_____
Father	Attorney
_____	
Hearing Officer	

**Form (3)**

**IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA**

_____	NO. _____
Plaintiff	
_____	CIVIL ACTION—CUSTODY
Defendant	

**REQUEST FOR CUSTODY EVIDENTIARY HEARING/TRIAL**

At a recent Custody Conciliation Conference held on \_\_\_\_/\_\_\_\_/\_\_\_\_ an acceptable Custody Agreement could not be reached. I hereby request an Evidentiary Hearing/Trial.

The Petitioner is \_\_\_\_\_ Plaintiff/Defendant in the above captioned case.

The Petitioner is not represented/represented by \_\_\_\_\_, Esq.  
(please circle one)

The Respondent is not represented/represented by \_\_\_\_\_, Esq.  
(please circle one)

The Petitioner seeks:

**LEGAL CUSTODY:**

\_\_\_\_\_ shared legal custody (The right to make major decisions on behalf of the child, including, but not limited to, medical, religious and educational decisions are shared.)

\_\_\_\_\_ sole legal custody (The right to make major decisions on behalf of the child, including, but not limited to, medical, religious and educational decisions is made by one individual.)

**PHYSICAL CUSTODY:**

\_\_\_\_\_ partial physical custody (The right to assume physical custody of the child for less than a majority of the time.)

\_\_\_\_\_ primary physical custody (The right to assume physical custody of the child for the majority of the time.)

\_\_\_\_\_ shared physical custody (The right of more than one individual to assume physical custody of the child, each having significant periods of physical custodial time with the child.)

\_\_\_\_\_ sole physical custody (The right of one individual to exclusive physical custody of the child.)  
 \_\_\_\_\_ supervised physical custody (Custodial time during which an agency or an adult designated by the court or agreed upon by the parties monitors the interaction between the child and the individual with those rights.)

I hereby certify that on \_\_\_\_/\_\_\_\_/\_\_\_\_ I served a copy of this request on the opposing counsel/party.

I verify that the statements made in this request for Court hearing are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to Unsworn Falsification to Authorities.

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_\_  
 Petitioner or Petitioner’s Attorney

Address of Plaintiff: _____ _____ _____	Address of Defendant: _____ _____ _____	Address of Additional Party: _____ _____ _____
Phone _____	Phone _____	Phone _____

[Pa.B. Doc. No. 19-135. Filed for public inspection February 1, 2019, 9:00 a.m.]

**Title 255—LOCAL COURT RULES**

**CARBON COUNTY**

**Drug Treatment Court Programs Administrative Fee; CP-13-AD-000002-2019**

**Administrative Order No. 6-2019**

*And Now*, this 14th day of January, 2019, in order to administer the Carbon County Drug Treatment Court Programs, it is hereby

*Ordered and Decreed* that all parties placed into either the Carbon County Veterans Treatment Court or the Carbon County Drug Treatment Court shall be assessed an Administrative Fee of \$500.00 upon placement in the program.

Administrative Order 8-2017 is VACATED.

The Carbon County District Court Administrator is directed to:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts via email to adminrules@pacourts.us.
2. File two (2) certified copies and one electronic copy in Microsoft Word format only to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish a copy of this Administrative Order on the Carbon County Court website at www.carboncourts.com/rules.htm.
4. Forward one (1) copy for publication in the *Carbon County Law Journal*.
5. Forward one (1) copy to the Carbon County Law Library.

6. Keep copies of the Order continuously available for public inspection in the Carbon County Clerk of Courts’ Office.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

[Pa.B. Doc. No. 19-136. Filed for public inspection February 1, 2019, 9:00 a.m.]

**Title 255—LOCAL COURT RULES**

**SCHUYLKILL COUNTY**

**Local Rule of Civil Procedure No. 234.1; AD-3-2019**

**Order of Court**

*And Now*, this 15th day of January, 2019, at 2:30 p.m., the Schuylkill County Court of Common Pleas hereby adopts Local Rule of Civil Procedure No. 234.1 for use in the Schuylkill County Court of Common Pleas, Twenty-First Judicial District, effective 30 days after publication in the *Pennsylvania Bulletin*.

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

- 1) File one (1) copy of this Order and Rule with the Administrative Office of the Pennsylvania Courts via email to adminrules@pacourts.us.
- 2) File two (2) paper copies of this Order and Rule and (1) electronic copy in a Microsoft Word format to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
- 3) Publish the local rule on the Schuylkill County Court website at www.co.schuylkill.pa.us.
- 4) Incorporate the local rule into the set of local rules on www.co.schuylkill.pa.us within thirty (30) days after publication in the *Pennsylvania Bulletin*.

5) File one (1) copy of the local rule in the Office of the Schuylkill County Clerk of Courts and provide a copy to the Prothonotary for public inspection and copying.

6) Forward one (1) copy to the Law Library of Schuylkill County for publication in the *Schuylkill Legal Record*.

*By the Court*

WILLIAM E. BALDWIN,  
*President Judge*

**Rule 234.1. Civil Bench Warrants.**

Upon an Applicant's filing in the Office of the Prothonotary a Motion with a Proposed order in compliance with the Pa. Rules of Civil Procedure, seeking a Civil Bench Warrant, the Applicant shall pay the filing fee and the Schuylkill County Sheriff's fee. The Motion and Proposed Order shall be forwarded to the Court promptly for disposition. The Bench Warrant will be issued if appropriate. Any Order granting the Bench Warrant and the Motion shall be returned to the Prothonotary's Office and then certified copies of the Order and Motion promptly forwarded to the Sheriff's Office for service.

[Pa.B. Doc. No. 19-137. Filed for public inspection February 1, 2019, 9:00 a.m.]

**DISCIPLINARY BOARD OF  
THE SUPREME COURT**

**Notice of Disbarment**

Notice is hereby given that Jason Michael Tabor (# 88859), having been disbarred in the State of New Jersey, the Supreme Court of Pennsylvania issued an Order on January 11, 2019, disbaring Jason Michael Tabor from the Bar of this Commonwealth, effective February 10, 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*.

JULIA M. FRANKSTON-MORRIS, Esq.,  
*Secretary*

[Pa.B. Doc. No. 19-138. Filed for public inspection February 1, 2019, 9:00 a.m.]

**DISCIPLINARY BOARD OF  
THE SUPREME COURT**

**Notice of Suspension**

Notice is hereby given that Michael P. Guido having been suspended from the practice of law in the State of Florida; the Supreme Court of Pennsylvania issued an Order dated January 17, 2019 suspending Michael P. Guido from the practice of law in this Commonwealth for a period of one year, effective February 16, 2019. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,  
*Secretary*

[Pa.B. Doc. No. 19-139. Filed for public inspection February 1, 2019, 9:00 a.m.]

**DISCIPLINARY BOARD OF  
THE SUPREME COURT**

**Notice of Suspension**

Notice is hereby given that Harry Tun having been suspended from the practice of law in the District of Columbia; the Supreme Court of Pennsylvania issued an Order dated January 17, 2019 suspending Harry Tun from the practice of law in this Commonwealth for a period of one year, effective February 16, 2019. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,  
*Secretary*

[Pa.B. Doc. No. 19-140. Filed for public inspection February 1, 2019, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 52—PUBLIC UTILITIES

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

[ 52 PA. CODE CH. 29 ]

[ L-2017-2600599 ]

#### Motor Carrier Age Requirement

The Pennsylvania Public Utility Commission, on June 14, 2018, adopted a final rulemaking order to amend § 29.503 (relating to age restrictions) for consistency with Department of Health regulations by reducing the minimum age requirement for paratransit drivers from 21 years of age to 18 years of age in limited circumstances.

##### *Executive Summary*

The Pennsylvania Public Utility Commission's current regulations require that drivers of paratransit vehicles be at least 21 years old. The Department of Health oversees emergency medical transportation and allows drivers 18 years and older to operate ambulances, if the drivers have proper training and certification. Many ambulance companies also operate paratransit service and cannot utilize the under 21 year-old ambulance driver in their paratransit service. This has caused operation and hiring problems for these companies. The Pennsylvania Public Utility Commission has granted several waivers with respect to the 21 year age requirement to paratransit operators so that ambulance drivers under 21 may also operate paratransit vehicles. 66 Pa.C.S. § 501. This final-form rulemaking reduces the minimum age requirement for paratransit drivers to 18 years of age under limited circumstances.

Public Meeting held  
June 14, 2018

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

*Final Rulemaking Re Motor Carrier Age Requirement,*  
52 Pa. Code Chapter 29; L-2017-2600599

#### Final Rulemaking Order

##### *By the Commission:*

On July 13, 2017, we issued a Proposed Rulemaking Order (PRO) seeking to amend our regulation governing the minimum driver-age requirement for paratransit drivers. See 52 Pa. Code § 29.503. The impetus for this change is that the Department of Health's (DOH) minimum age requirement for ambulance drivers is 18 years of age while the Commission requires paratransit drivers to be 21 years of age. As a result of the inconsistency between the DOH's age requirement for ambulance drivers and the Commission's minimum age requirement for paratransit drivers, the Commission has granted several petitions for waiver of Section 29.503 to accommodate paratransit service providers that also provide ambulance service, allowing these providers to utilize drivers younger than 21 years old if those drivers meet the DOH licensing requirements. The update to Section 29.503 reduces the minimum age requirement for paratransit drivers in limited circumstances.

The PRO was published in the *Pennsylvania Bulletin* on November 25, 2017. 47 Pa.B. 7235. Comments to the PRO were filed by Greater Valley Emergency Medical

Services<sup>1</sup> and the Independent Regulatory Review Commission (IRRC). Having reviewed the comments, we now address the following changes to our regulation at 52 Pa. Code § 29.503.

##### *Summary of the PRO*

The Commission's regulations currently require, *inter alia*, that paratransit drivers be 21 years of age or older.<sup>2</sup> We explained that the 21-year age requirement, established in 2006, was due to statistically documented increases in accidents involving drivers under the age of 21. 36 Pa.B. 4181 (August 5, 2006).

We opined in the PRO that there are many organizations that provide non-emergency paratransit service that also provide emergency medical transportation (dual-service companies). While the Commission's regulations prohibit paratransit carriers from employing drivers under 21 years of age, the DOH's regulations permit drivers at least 18 years of age to operate emergency medical vehicles, if those drivers meet certain criteria. We noted that the inconsistency between the Commission's age requirements for paratransit drivers and the DOH's age requirements for ambulance drivers puts these dual-service companies in a cumbersome position for hiring prospective drivers.

Historically, dual-service companies that employ drivers under 21 years of age as ambulance drivers have filed waiver petitions with the Commission to allow those drivers to operate vehicles in non-emergency paratransit service. To avert the necessity of filing petitions, the Commission sought to change the minimum-driving age for paratransit drivers, in limited circumstances, to 18 years.

We proposed amending Section 29.503 to include an exception to the 21-year requirement. In the PRO we stated that if a driver is at least 18 years old but under 21, the driver will be eligible to operate a non-emergency paratransit vehicle if the DOH has certified the driver to operate an emergency medical services vehicle (EMSV) pursuant to Section 8122 of the Emergency Medical Services System Act, 35 Pa.C.S. §§ 8101 et seq., and the DOH's regulations at 28 Pa. Code Chapter 1023, Subchapter B. The PRO provided that drivers under the age of 21 would be required to carry their EMSV operator's certificate issued by the DOH on board. An under-21 paratransit vehicle driver would also have to comply with all other applicable paratransit driver regulations. Finally, the PRO provided that the paratransit carriers would be required to (1) maintain records to prove driver certification, and (2) notify the Commission of any accident involving a paratransit vehicle driver under the age of 21.

##### *Discussion*

The Commission has reviewed the comments filed in this proceeding. Based upon those comments, the Commission has determined that it will proceed with the proposal in the PRO, with modifications. We first note that the IRRC agrees with our intent to reduce the minimum-age requirement to 18 years of age for properly

<sup>1</sup> Greater Valley Emergency Medical Services generally supported the Commission's PRO but did not offer any substantive comments.

<sup>2</sup> The 21-year age requirement is not unique to paratransit but extends to all passenger carriers.



qualified drivers. However, the IRRC questions whether the proposed regulation should be modified to provide greater clarity since it may be susceptible to misinterpretation. We agree with the IRRC's comments and have modified the PRO to provide more clarity. Specifically, the Commission has amended the language in Subsection (a) and (b) to clearly indicate that only drivers aged 18 to 21 years are required to register with the DOH as certified EMSVOs to qualify as a paratransit driver.

The IRRC also questions how the Commission will know when an under-21 paratransit driver has their EMSVO certification suspended or revoked by the DOH. The Commission notes that Subsection (b)(3) directs paratransit carriers to maintain records on its drivers' EMSVO certification and those records must be available for inspection by Commission staff upon request. If an under-21 paratransit driver has their EMSVO certification revoked, the carrier is required to maintain this documentation and make it available to the Commission upon request. The Commission would become apprised of such suspension or revocation upon inspection of a dual-service carrier's driver records.

The IRRC also noted that Subsection (b) creates a third class of drivers and qualifications under the Commission's regulations. (IRRC Comments 3). The IRRC questions whether creating another qualification for paratransit drivers aged 18 to 21 adequately protects the public and whether that it is in the public interest.

With respect to the classification the IRRC refers to as "common or contract carrier drivers at least 18 years of age with EMSVO certification", this exception only applies to paratransit drivers; not all types of common or contract carriers. The Commission refers to the DOH's driver qualifications for under-21 paratransit drivers to assure they provide safe transportation to the public. While statistics show that drivers under 21 have more accidents, the additional requirements for the EMSVO certification assures that drivers under 21 that are employed as paratransit drivers can provide safe transportation to the public. The remaining classes of drivers are required to be at least 21 years of age because this group has statistically documented fewer accidents. As such, the Commission believes that these classes will adequately protect the public and are in the public interest.<sup>3</sup>

The IRRC comments that our PRO appears to infer that DOH regulations would be enforced by the Commission because of the reference to DOH regulations and directing compliance therewith. That was not the intent of the regulation. Rather, the intent was for the Commission to accept DOH registration of EMSVO certification. Therefore, we will modify the proposed regulation to make this point clear. Specifically, the Commission will delete the reference to the requirements under 35 Pa.C.S. § 8122 and 28 Pa. Code §§ 1023.2—1023.34, since it is sufficient that the DOH has registered an EMSVO certification. We will also add language to make it clear that an under-21 paratransit driver must have his or her EMSVO certification registered with the DOH pursuant to 35 Pa.C.S. § 8122. The Commission notes that EMSVO certification by itself is not sufficient for an under-21 paratransit driver because registering as a certified EMSVO with the DOH ensures that the under-21

paratransit driver has been properly vetted by the DOH under its applicable regulations.<sup>4</sup>

The IRRC questions whether the Commission's reference to "Department-issued EMSVO certification" is in reference to the identification issued under the DOH's 28 Pa. Code § 1023.21(h). The IRRC recommends that we include a cross reference to the appropriate provision to clarify how to comply with the Commission's regulation. The Commission will include a cross reference to 28 Pa. Code § 1023.21(h) to clarify how a paratransit driver under 21 years of age complies with the Commission's regulation.

The IRRC raises concerns with the PRO referencing another agency's regulations in Subsection (b)(3). The IRRC recommends that this provision should be deleted or rewritten to better explain its purpose and how it would be enforced. (IRRC Comments at 5).

The Commission agrees that it does not have the authority to enforce the DOH's regulations and amends the language in Subsection (b)(3) from "[t]he carrier shall comply with all applicable DOH regulations" to "[t]he carrier shall ensure compliance with all applicable DOH regulations." The Commission's intention is to ensure that paratransit drivers under 21 years of age remain registered with the DOH as certified EMSVOs, and this will be accomplished by requiring paratransit carriers to maintain records proving each under-21 driver's EMSVO registration.

The IRRC also commented that Subsections (b)(2)—(4) should be moved to a separate section because they do not appear to apply to EMSVO driver requirements. However, the Commission believes creating a third subsection would make this regulation overly complex for its basic purpose. Subsection (b) contains all the eligibility requirements for EMSVO drivers under 21 as well as the requirements attendant to the carriers without having to reference another subsection.

The IRRC also comments that the reporting of accidents, however minor, should also clearly include reporting of driving-related violations such as moving violations, reckless driving and driving under the influence of alcohol and/or drugs. (IRRC Comments at 5). Additionally, the time for reporting accidents is vague and the word "immediately" in Subsection (b)(4) should be replaced with a specific period for reporting.

The Commission agrees that the regulation should include driving-related violations and amends it to include driving-related violations such as moving violations, reckless driving and driving under the influence. The regulation also expressly states that a paratransit carrier must notify the Commission's Bureau of Technical Utility Services within three calendar days of the event.

#### Conclusion

Accordingly, pursuant to Sections 501 and 1501 of the Public Utility Code, 66 Pa.C.S. §§ 501 and 1501; Sections 201 and 202 of the Act of July 31, 1968, P.L. 769 No. 240, 45 P.S. §§ 1201-1202, and the regulations promulgated thereunder at 1 Pa. Code §§ 7.1, 7.2, and 7.5; Section 204(b) of the Commonwealth Attorneys Act, 71 P.S.

<sup>4</sup> There is no need to address Quick Response Service (QRS) in the regulation because the Commission's regulation will specify that in order for an under-21 paratransit driver to qualify that driver must have his or her EMSVO certification registered with the DOH. Section 8122 of the Emergency Medical Services Systems Act does not require EMSVOs that work for a carrier that exclusively operates QRS to register their EMSVO certification with the DOH. Accordingly, QRS does not have to be addressed.

<sup>3</sup> We note that to the extent the IRRC's comments address 29.504(a) and 29.504(b)(1), those issues are beyond the scope of this rulemaking, which is limited to paratransit drivers under the age of 21.



§ 732.204(b); Section 745.5 of the Regulatory Review Act, 71 P.S. § 745.5; and Section 612 of the Administrative Code of 1929, 71 P.S. § 232, and the regulations promulgated thereunder at 4 Pa. Code §§ 7.231—7.234, we are considering adopting the final regulations set forth in Annex A, attached hereto; *Therefore,*

*It Is Ordered That:*

1. The regulations of the Commission are amended to read as set forth in Annex A.

2. The Law Bureau shall submit this order and Annex A to the Office of Attorney General for review as to form and legality.

3. The Law Bureau shall submit this order and Annex A, to the Governor’s Budget Office for review of fiscal impact.

4. The Law Bureau shall submit this order and Annex A for review and approval by the designated standing committees of both Houses of the General Assembly, and for review and approval by the Independent Regulatory Review Commission.

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

6. A copy of this order shall be served on commentators to the proposed rulemaking order.

7. This final-form rulemaking shall become effective upon final publication in the *Pennsylvania Bulletin*.

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

ROSEMARY CHIAVETTA,  
*Secretary*

*(Editor’s Note:* See 48 Pa.B. 7494 (December 1, 2018) for IRRC’s approval order.)

**Fiscal Note:** Fiscal Note 57-317 remains valid for the final adoption of the subject regulation.

ANNEX A  
TITLE 52. PUBLIC UTILITIES  
PART 1. PUBLIC UTILITY COMMISSION  
Subpart B. CARRIERS OF PASSENGERS OR PROPERTY  
CHAPTER 29. MOTOR CARRIERS OF PASSENGERS  
Subchapter F. DRIVER REGULATIONS

§ 29.503. Age restrictions.

(a) A common or contract carrier may permit a person to operate a vehicle in its authorized service if that person is at least 21 years of age.

(b) A common or contract carrier providing paratransit service may permit a person to operate a paratransit vehicle in its authorized service if that person is at least 18 years of age but under 21 years of age if the following conditions are met:

(1) The person shall be registered as a certified emergency medical services vehicle operator (EMSVO) with the Department of Health (Department).

(2) The person shall carry the Department-issued registration of their EMSVO certification on board while operating a paratransit vehicle under 28 Pa. Code § 1023.21(h) (relating to general rights and responsibilities).

(3) The carrier shall verify that the paratransit driver is in good standing with the Department and maintain records for 4 years to prove each person’s EMSVO certificate registration. The records must be available for inspection by Commission staff upon request.

(4) The carrier shall notify the Commission’s Bureau of Technical Utility Services within 3 calendar days of the occurrence of the following events involving a paratransit driver who is under 21 years of age:

- (i) an accident, regardless of the severity of the accident.
- (ii) a driving-related violation such as a moving violation.
- (iii) reckless driving.
- (iv) driving under the influence of alcohol or drugs.

[Pa.B. Doc. No. 19-141. Filed for public inspection February 1, 2019, 9:00 a.m.]

# PROPOSED RULEMAKING

## BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS STATE BOARD OF NURSING

[ 49 PA. CODE CH. 21 ]

### Fees; General Provisions

The State Board of Nursing (Board) and the Commissioner of Professional and Occupational Affairs (Commissioner) jointly propose to amend §§ 21.5, 21.147, 21.253, 21.705 and 21.805 to read as set forth in Annex A. This proposed rulemaking provides for new and increased application fees and increased biennial renewal fees for Licensed Practical Nurses (LPN), Registered Nurses (RN), Certified Registered Nurse Practitioners (CRNP), Licensed Dietitian-Nutritionists (LDN) and Clinical Nurse Specialists (CNS), as well as new and increased application fees relating to nursing education programs.

#### *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin*. It is anticipated that the fees will be implemented in the last quarter of Fiscal Year (FY) 2018-2019.

#### *Statutory Authority*

Section 11.2(a) and (b) of the Professional Nursing Law (RN Law) (63 P.S. § 221.2(a) and (b)) and section 17.5(a) and (b) of the Practical Nurse Law (LPN Law) (63 P.S. § 667.5(a) and (b)) require the Board to fix and increase fees by regulation to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures over a 2-year period. Additionally, section 810(a)(3) and (7) of The Administrative Code of 1929 (71 P.S. § 279.1(a)(3) and (7)) authorizes the Commissioner to issue all certificates and other official documents of the various professional and occupational examining boards and, unless otherwise provided by law, to fix the fees to be charged by the boards within the Bureau of Professional and Occupational Affairs (Bureau).

#### *Background and Purpose*

Under section 11.2(a) of the RN Law and section 17.5(a) of the LPN Law, the Board is required to support its operations from the revenue it generates from fees, fines and civil penalties. In addition, these acts provide that the Board shall increase fees if the revenue raised by fees, fines and civil penalties is not sufficient to meet expenditures over a 2-year period. The Board raises approximately 80% of its revenue through biennial renewal fees. The remaining 20% of its revenue comes from other fees, fines and civil penalties. If revenue is inadequate to meet the minimum enforcement efforts required, section 11.2(b) of the RN Law and section 17.5(b) of the LPN Law require the Bureau, after consultation with the Board, to increase the fees such that adequate revenues are raised to meet the required enforcement effort.

The Board receives an annual report from the Department of State's Bureau of Finance and Operations (BFO) regarding the Board's income and expenses. On February 23, 2015, the BFO advised the Board that it would be necessary to raise its biennial renewal fees to meet current and projected expenses and recommended an

increase for RNs, LPNs and LDNs. The BFO noted that the Board has incurred significant increases in legal, hearing examiner and enforcement and investigation expenses. The Board attributes these increases to the rapid rise in the number of disciplinary matters that have resulted based upon the criminal information that the Board receives from the Pennsylvania Justice Network, the disciplinary information it receives from the National Council of State Boards of Nursing's NURSIS verification databases, as well as self-reports by licensees required by §§ 21.29a and 21.156b (relating to reporting of crimes and disciplinary action). The BFO expects these increases to continue as these information-generating methods have resulted in increased open cases, the performance of additional mental and physical examinations by contractors on behalf of the Board, and increased investigations and data collection by the Bureau of Enforcement and Investigation.

Unlike the licensees of other licensing Boards within the Bureau, RNs, CRNPs and CNSs biennially renew in four cohorts over the biennial period (April and October each year) in addition to the biennial renewal for LPNs (June of even-numbered years) and LDNs (September of even-numbered years). During their conversations, the BFO and the Board discussed the fact that, other than an increase in biennial renewal fees for the licensure classes in 2010, none of the Board's other applications and services had been analyzed to determine whether the Board was recouping the actual costs associated with the services being provided. The Board noted that some of its application fees had not been increased since about 1987. The BFO suggested that rather than promulgating the recommended biennial renewal fee increase, the Board may wish to review its operations and determine whether the application fees sufficiently covered the costs of the services being provided. Thereafter, if necessary, the amount of the biennial renewal increases could be determined.

As a result of these discussions, the Bureau's Revenue Office and Board staff conducted a review of the operations conducted by the Board. The fees for services for licensees, applicants and nursing education programs were analyzed to determine if the fees reflected the actual cost of providing the services. Actual cost calculations are based upon the following formula:

$$\begin{aligned} & \text{number of minutes to perform the function} \\ & \qquad \qquad \qquad \times \\ & \text{pay rate for the classification of the personnel} \\ & \qquad \qquad \qquad \text{performing the function} \\ & \qquad \qquad \qquad + \\ & \text{a proportionate share of administrative overhead} \end{aligned}$$

The analysis determined that current fees do not accurately reflect the actual cost of processing the following applications and services: licensure by examination, licensure by endorsement, re-examination, initial and extension of graduate nurse (GPP) and temporary practice permits (TPP), review and challenge of examinations, reactivation (after 5 years), restoration (following revocation or suspension), verification of licensure with and without histories, approval of new nursing education programs, review of stand-alone courses requiring Board approval, review of non-preapproved continuing education activities, review of nursing education program annual

reports and curriculum changes after initial approval, and survey visits of new nursing education programs.

Following the Board's review of all of the services being provided by the Board and the costs associated with those services, on September 16, 2016, the BFO again met with the Board and provided an updated recommendation regarding biennial fee increases. The BFO offered three options for increases to RN, LPN and LDN biennial renewal fees: \$27, \$45 or \$50. The Board determined that: (1) the lower recommendations would not stem the deficits appropriately; (2) CRNPs with prescriptive authority authorizations (CRNP-PA) and CNSs should also pay increased renewal fees as there are additional costs associated with these additional authorizations/licenses; (3) LPNs should pay a lower renewal fee accounting for the disparity in the number of LPNs and the Board's disciplinary and administrative workload related to LPNs; and (4) the CRNP-PA renewal fee should be 50% of the determined CRNP renewal fee. The Board asked the BFO to offer another recommendation based on this discussion. The BFO returned to the Board's October 27, 2016, meeting to present its revised recommendation, at which time the Board agreed to initiate the rulemaking process to raise fees accordingly.

During the BFO's presentations in 2015–2017 and again at its January 19, 2018, meeting, the BFO reported that the Board would face an inability to meet its obligations if fees were not increased. Using the most recent fiscal information, the BFO advised the Board that for the biennial period that included FY 2013-2014 and FY 2014-2015, the Board's 2-year expenditures were \$23,444,076 and its revenue was \$22,056,032, for an operating deficit of \$1,388,044. For the biennial period FY 2015-2016 and FY 2016-2017, the Board's 2-year expenditures were \$28,659,470 and its revenue was \$22,376,417, for an operating deficit of \$6,283,053. These operational deficits have depleted the Board's reserves, leaving the Board with a negative balance of \$415,132 at the end of FY 2015-2016 and a negative balance of \$4,821,865.67 at the end of FY 2016-2017. The BFO estimates a projected negative balance of \$6,908,865.67 at the conclusion of FY 2017-2018 and \$11,241,865.67 by the end of FY 2018-2019. Without a fee increase, the BFO projects accumulating deficits increasing to approximately \$57 million by the end of FY 2026-2027.

However, if the application and renewal fees are increased as proposed, the BFO projects biennial revenues of \$41,027,000, while projected expenditures for the next 5 biennial periods are projected at \$31,698,000 for FY 2019-2020 and FY 2020-2021, \$33,776,000 for FY 2021-2022 and FY 2022-2023, \$36,728,000 for FY 2023-2024 and FY 2024-2025 and \$39,725,000 for FY 2025-2026 and FY 2026-2027. These increases would permit the Board to recoup the accumulated deficits and result in a positive balance in the Board's account, estimated at approximately \$15 million by the end of FY 2026-2027 (an amount that is less than 1 year's operating budget).

Accordingly, the BFO recommended, and the Board agreed, to amend a total of 68 fees, consisting of 39 existing application fees, 6 existing biennial renewal fees and 23 new and existing fees for education-related services, some of which had previously not resulted in a charge to applicants or licensees. The Board sent the proposal to its stakeholders on November 4, 2016, inviting their input. On January 31, 2017, the Board reviewed the stakeholder comments and voted to adopt the fees in proposed form. The Board believes that the proposed fees will be adequate to cover operating expenses through at least FY 2027-2028.

The last increase to RN and LPN licensure by examination fees for graduates of Board-approved nursing education programs, RN and LPN re-examination fees, and RN and LPN verification of licensure fees was on December 26, 1987, when the RN examination and re-examination fees increased from \$24 to \$35, the LPN examination and re-examination fees increased from \$18 to \$35 and a new verification of licensure fee for RNs and LPNs was established at \$15. See 17 Pa.B. 5329.

The last increase to RN and LPN licensure by examination fees for graduates of out-of-State nursing education programs, RN and LPN licensure by endorsement (with and without examination) fees, RN and LPN TPP initial and extension fees, RN and LPN review and challenge of examination fees, RN and LPN reactivation (after 5 years) fees, RN and LPN restoration (after revocation or suspension) fees, RN and LPN verification of licensure (with histories) fees, and CRNP application for certification fees (graduates of Board-approved and out-of-State nursing education programs) was on June 17, 2000. See 30 Pa.B. 3040. The RN and LPN licensure by examination fees for graduates of out-of-State nursing education programs increased from \$30 to \$100, the RN and LPN licensure by endorsement without examination fees increased from \$25 to \$100, the RN and LPN TPP fees increased from \$20 to \$35, the RN and LPN review and challenge of examination fees increased from \$130 to \$170, the RN and LPN reactivation (after 5 years) fees increased from \$20 to \$50, the RN and LPN restoration (after revocation or suspension) fees increased from \$20 to \$50, and the CRNP application for certification fees for graduates of Board-approved nursing education programs increased from \$45 to \$100. Additionally, the \$135 fee for RN and LPN licensure by endorsement with examination, the \$60 RN and LPN TPP/GPP extension fees, the \$40 RN and LPN verification of licensure (with histories) fees, and the \$100 CRNP application for certification fees for graduates of out-of-State nursing education programs were also added on June 17, 2000.

The last increase to the application fees for approval of new RN, LPN and CRNP nursing education programs was on June 3, 2006, when the RN and LPN nursing education program fees increased from \$475 to \$935 and the CRNP nursing education program fees increased from \$475 to \$735. See 36 Pa.B. 2673.

The last increase to biennial renewal fees for nurses occurred on August 21, 2010, when the fee for LPNs was increased from \$40 to \$60, the fee for RNs was increased from \$45 to \$65, the fee for CRNPs was increased from \$50 to \$75 and the fee for LDNs was increased from \$45 to \$65. See 40 Pa.B. 4755. The biennial renewal fee for CNSs of \$50 was established on July 17, 2010. See 40 Pa.B. 3944. The biennial renewal fee for CRNP-PA of \$25 was established on November 19, 2005. 35 Pa.B. 6658. Neither the CNS nor CRNP-PA biennial renewal fees have ever been adjusted since their inception.

The \$50 CRNP-PA application fees and the \$30 additional prescriptive authority fee were established on November 19, 2005. See 35 Pa.B. 6658. The \$100 approval of a non-preapproved CRNP continuing education provider fee was established on July 5, 2008. See 38 Pa.B. 3656. The \$75 per hour approval of a non-preapproved RN continuing education provider fee was established on July 12, 2008. See 38 Pa.B. 3796. All LDN application fees were established on April 19, 2006 while all CNS fees were established on July 17, 2010. See 36 Pa.B. 2396 and 40 Pa.B. 3944. None of these fees have been revised since their establishment.



Currently there are no fees being charged for the approval of non-preapproved LDN continuing education activities/providers, renewal of non-preapproved RN, CRNP, LDN and CNS continuing education activities/providers, review of the annual compliance report for Board-approved nursing education programs, review of Board-approved nursing education program curriculum changes, and survey visits for new nursing education programs. The Board's nursing education advisers dedicate significant time to these activities, the costs of which are not covered by the initial approval fee. There are also no fees being imposed for the Board's review of stand-alone course evaluations that require Board approval such as the reactivation courses, IV-therapy courses and advanced pharmacology courses. Additionally, no fees are currently being charged for CRNP verification of certification with or without histories and restoration of CRNP certifications and prescriptive authority authorizations (after suspension or revocation).

#### *Description of Proposed Amendments*

The Board proposes to amend §§ 21.5, 21.147, 21.253, 21.705 and 21.805 to update its fee schedules. Specifically, the proposal would amend §§ 21.5 and 21.147 (relating to fees) to increase fees for RN and LPN licensure by examination for graduates of Board-approved nursing education programs from \$35 to \$95 and applications for graduates of out-of-State nursing education programs from \$100 to \$115. The difference in cost for graduates of Board-approved programs and out-of-State programs is related to the evaluation of transcripts to determine equivalency with the course of study required in the Commonwealth as required by section 7 of the RN Law (63 P.S. § 217) and section 6 of the LPN Law (63 P.S. § 656). RN and LPN re-examination fees would increase from \$30 to \$75. Currently all RN and LPN licensure by endorsement applicants pay a \$100 application fee. For those who are also required to take the licensure examination as part of the endorsement application, a processing fee is charged to make the applicants eligible to take the examination. In this proposed rulemaking, the application fee for licensure by endorsement (without examination) would increase from \$100 to \$120. Additionally, for ease of calculation for applicants for licensure by endorsement who are required to take the licensure examination, the Board included a new fee for RN and LPN licensure by endorsement applications with examination of \$145 (to incorporate the processing fee previously mentioned).

RN and LPN TPP applications would increase from \$35 to \$70 and TPP extensions would increase from \$60 to \$85. The cost for the extensions are greater than for the initial TPP because the extension applications require a review of the applicants' compliance with §§ 21.7 and 21.149 (relating to temporary practice permits).

RN and LPN applications to review and challenge the licensure examinations would increase from \$170 to \$435. Challenges to the licensure examinations require an advisor to schedule a review time for the examination vendor and the applicant, attend the meeting wherein the challenged questions and responses are discussed and report the vendor's results to the applicant. The proposed fee captures these costs.

Reactivations of RN and LPN licenses that have lapsed or been inactive for 5 or more years would increase from \$50 to \$130 to assure compliance with the continued competency requirements in §§ 21.30a and 21.156a (relating to continued competency). No change is being made in §§ 21.705 and 21.805 (relating to fees) to the related LDN and CNS fees for reactivation after 5 or more years

as the current fee covers the review conducted. No additional fee is being charged for CRNP reactivations as minimal additional review services are required. Restorations following a revocation or suspension of RN, LPN, LDN and CNS licenses would increase from \$50 to \$60. The proposal would also add restoration fees following a revocation or suspension of certification for CRNPs in § 21.253.

Currently the public may verify a professional/occupational license online for free from the Department's Pennsylvania Licensing System at [www.pals.pa.gov/verify](http://www.pals.pa.gov/verify). Nonetheless, there are times when licensees or their employers desire verifications that include the Bureau's seal. In this proposed rulemaking, the Board would increase the verification of licensure/certification for RNs, LPNs, CRNPs, LDNs and CNSs to \$45. Verifications with history for RNs and LPNs would increase from \$40 to \$50, for LDNs from \$25 to \$50 and CNSs from \$30 to \$50. A new fee of \$50 will be added for CRNP verification of certification with history. In addition to the licensure/certification information, verifications with history include examination, education and discipline information.

The application fee for CRNP certification for graduates of Board-approved nursing education programs does not change in this proposed rulemaking. The certification applications for CRNPs who graduated from out-of-State nursing education programs would increase from \$100 to \$140 in the same way that the RN and LPN licensure by examination fees for out-of-State programs are slightly higher than for Board-approved programs. Additionally, CRNP initial prescriptive authority applications would increase from \$50 to \$95 and additional prescriptive authority applications would increase from \$30 to \$45. These fees include the costs associated with processing subsequent updates to the prescriptive authority collaborative agreements as required by § 21.285(b) (relating to prescriptive authority collaborative agreements). The Board receives approximately 200 prescriptive authority updates weekly.

Licensure applications for LDNs would increase from \$45 to \$95. CNS certification application fees would increase from \$100 to \$115.

The Board and the Commissioner also propose increases to existing application fees and additional fees for Board-approved nursing education programs. The Board's review of nursing education programs is three-fold under sections 6.1 and 6.2 of the RN Law (63 P.S. §§ 216.1 and 216.2) and section 9 of the LPN Law (63 P.S. § 659): (1) review and approve new nursing education programs; (2) monitor Board-approved programs' compliance with the Board's regulations through annual report submissions, and for RN programs, triennial site visits; and (3) prepare and make available for public distribution lists of all approved nursing education programs. The review of a new nursing education program is extensive as it requires consideration of the program's rationale, organization and administrative policies, administrative structure, proposed curriculum (including a review of course descriptions, curriculum plan of study, syllabi, course sequencing and clinical sites), student policies, budgets, facilities for administration and teaching, and faculty qualifications. In addition to requiring a significant amount of review time by the Board's advisors, new nursing education program applications are reviewed by the entire Board following a presentation by the program at a Board meeting. Thereafter, a survey of the nursing education program is conducted by an advisor in accordance with §§ 21.31(a), 21.51(h), 21.172(d) and 21.365(e) to assure

conformity with the information in the application. Often, there are several supplementary submissions from the nursing education programs prior to their Board presentation. After a nursing education program is approved, the program is placed on initial status until after a first class is graduated wherein the advisors conduct a second survey, and if the nursing education program achieves the minimum pass rate required in §§ 21.33b and 21.162b (relating to minimum rate for graduates of nursing education programs to pass the National licensure examination), the program receives full approval status.

Annually the 217 total RN, LPN and CRNP Board-approved nursing education programs are required to submit annual compliance reports to the Board through a web-based education program portal and information communication channel. This information technology system, deployed in 2007, fully replaced the traditional paper-based system for the submission of information and documentation regarding faculty, administration, clinical agencies and curriculum. This information and documentation is reviewed by the advisors to assure compliance with Board regulations. Additionally, throughout the year, as faculty directors, clinical agencies and curriculum changes, Board-approved programs are required to report those changes to the Board. Annually, there is about 15–20% turnover in faculty members. In addition, curriculum is updated triennially to comport with changes made to the licensure examination test plan. Significant expenditures of time are allocated by the advisors to review the annual reports and the curriculum changes.

Currently, RN and LPN nursing education programs pay a new program application fee of \$935, while CRNP programs pay a new program application fee of \$735. The Board proposes to increase the fee for applications for approval of new programs to \$2,195 and add a new survey visit fee of \$1,525. Because the survey visit is not conducted until the Board provisionally approves the nursing education program, the \$1,525 fee would not be charged until the survey visit is scheduled after the Board's action. Initially, the Board contemplated conducting the survey visit and charging the fee when the new program application is submitted, however, because physical changes are made while the Board's review is being conducted, the Board believes that it is appropriate to conduct the survey visit before the program actually accepts students rather than when the program is being conceptualized. Additionally, for RN, LPN and CRNP nursing education programs, the Board proposes to add a \$430 fee for review of Board-approved nursing education programs' annual compliance reports and a \$585 fee for review of curriculum revisions. Currently, there are no fees associated with these activities, although the Board expends significant resources reviewing these reports and curriculum revisions. Because the existing fees do not adequately cover the significant costs incurred by the Board in reviewing, approving and assuring ongoing compliance of nursing education programs, the individual licensees essentially cover these costs through their biennial renewal fees. This proposed rulemaking corrects that inequity. Nursing education programs seeking Board approval should be required to cover all associated costs.

The Board also proposes to add a \$285 application fee for the review and approval of stand-alone courses that require Board-approval. Reactivation programs for RNs and LPNs referenced in §§ 21.30a(a)(2) and 21.156a(a)(2) require Board approval as well as LPN IV therapy courses referenced in § 21.145b(b) (relating to IV therapy curriculum requirements) and CRNP advanced pharma-

cology courses referenced in § 21.283(b)(1)(i) (relating to authority and qualifications for prescribing, dispensing and ordering drugs).

In the area of continuing education, the Board proposes to set the fee for approval for non-preapproved RN, CRNP, LDN and CNS continuing education programs at \$115 per course-hour and \$35 for the renewal of these programs. Currently, the fee for RN and CNS non-preapproved programs is \$75 per course-hour and \$100 total for CRNP non-preapproved programs. There is currently no fee for the approval of LDN non-preapproved continuing education programs or the renewal of any non-preapproved continuing education courses.

This proposed rulemaking would amend biennial renewal fees for each of the licensure classes. RN renewal fees would increase from \$65 to \$122; LPN renewal fees would increase from \$60 to \$76; CRNP renewal fees would increase from \$75 to \$81; LDN renewal fees would increase from \$65 to \$71; CNS biennial renewal fees would increase from \$50 to \$56; and CRNP prescriptive authority biennial renewal fees would increase from \$25 to \$41. Initially, the Board considered increasing only the biennial renewal fees for RNs, LPNs and LDNs, and making no changes for CRNP, CRNP prescriptive authority and CNS renewal because renewal of the RN license is required as a prerequisite for CRNP, CRNP prescriptive authority and CNS renewal. In subsequent discussions, the Board determined that CRNPs and CNSs should also pay increased renewal fees as there are additional costs associated with the additional licenses/authorizations.

Finally, the Board would combine and amend § 21.705(c) and (d) to clarify that applicants for licensure as LDNs are required to pay the examination fee to either the Commission on Dietetic Registration or the Board for Certification of Nutrition Specialists, as applicable, in addition to the application fee payable to the Board.

#### *Fiscal Impact and Paperwork Requirements*

This proposed rulemaking will increase the application and biennial renewal fees for licensees of the Board. As of January 19, 2018, there are approximately 221,633 RNs, 54,210 LPNs, 12,371 CRNPs, 4,304 LDNs, 232 CNSs and 12,542 CRNP prescriptive authority authorizations, for a total of approximately 305,292 licensees/certificate holders who will be required to pay more to renew their licenses/certifications/authorizations when they expire. There are also 217 Board-approved nursing education programs who will be required to pay more for review of their programs. Additionally, there are approximately 38,895 applications filed with the Board annually, including 10,250 applications for licensure by examination, 5,150 applications for licensure by endorsement, 1,400 reexamination applications, 3,740 initial and TPP/GPP extension applications, 450 reactivation applications, 38 restoration applications, 426 applications for verifications of licensure/certifications, 12,135 applications for verifications of licensure/certifications with histories, 300 LDN licensure applications, 1,350 CRNP certification applications, 3,300 prescriptive authority authorizations, 30 CNS certification applications and 326 applications involving nursing education programs. These fees may be paid by applicants/licensees while others may be paid by their employers should their employers choose to pay these fees. This proposed rulemaking should have no other fiscal impact on the private sector, the general public or political subdivisions of the Commonwealth.



This proposed rulemaking will require the Board to alter/create applications and biennial forms to reflect the new fees; however, the amendments will not create additional paperwork for the regulated community or for the private sector.

*Sunset Date*

The Board continuously monitors the effectiveness of its regulations. Therefore, no sunset date has been assigned. Additionally, the BFO provides the Board with an annual report detailing the Board’s financial condition. In this way, the Board continuously monitors the adequacy of its fee schedule.

*Regulatory Review*

Under section 5(f) of the Regulatory Review Act (71 P.S. § 745.5(f)), on January 17, 2019, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC). A copy of this material is available to the public upon request. On the same date, the Board submitted this proposed rulemaking to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. The Board will submit this proposed rulemaking and required material to the standing committees of the House and Senate no later than the second Monday after the date by which both committee designations have been published in the *Pennsylvania Bulletin*.

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

*Public Comment*

Interested persons are invited to submit written comments, recommendations or objections regarding this proposed rulemaking to the Regulatory Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523, RA-STRegulatoryCounsel@pa.gov within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference (16A-5142—Fees) when submitting comments.

ANN M. COUGHLIN, MBA, MSN, RN,  
*Chairperson*

IAN HARLOW,  
*Commissioner*

*Bureau of Professional and Occupational Affairs*

**Fiscal Note:** 16A-5142. No fiscal impact; (8) recommends adoption.

ANNEX A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 21. STATE BOARD OF NURSING

Subchapter A. REGISTERED NURSES

GENERAL PROVISIONS

§ 21.5. Fees.

(a) The following **application** fees are charged by the Board for services provided to licensees **and applicants**:

[ <b>Examination and licensure</b> ] <b>Licensure by examination—Board-approved nursing education program graduates</b> .....	[ \$35 ]	<b>\$95</b>
Reexamination.....	[ \$30 ]	<b>\$75</b>
Licensure by endorsement.....	[ \$100 ]	<b>\$120</b>
<b>Licensure by endorsement with examination</b> .....		<b>\$145</b>
Temporary <b>practice</b> permit .....	[ \$35 ]	<b>\$70</b>
Extension of temporary <b>practice</b> permit .....	[ \$60 ]	<b>\$85</b>
Fee for review and challenge of RN [ <b>exams</b> ] <b>exam</b> .....	[ \$170 ]	<b>\$435</b>
[ <b>Application fee for out-of-State graduates</b> ] <b>Licensure by examination—Graduates of out-of-State nursing education programs</b> .....	[ \$100 ]	<b>\$115</b>
Verification of licensure .....	[ \$15 ]	<b>\$45</b>
Reactivation of <b>inactive or lapsed</b> license (5 years or longer).....	[ \$50 ]	<b>\$130</b>
Restoration after suspension or revocation.....	[ \$50 ]	<b>\$60</b>
Certification of scores .....		\$25
[ <b>Certification of license</b> ] <b>Verification of licensure with</b> history.....	[ \$40 ]	<b>\$50</b>

(b) The following **renewal** fees are charged by the Board to support its operations:

Biennial renewal of license .....	[ \$65 ]	<b>\$122</b>
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(c) The following fees are charged by the Board for services provided to nursing education programs:

Application for approval of new nursing <b>education</b> program .....	[ \$935 ]	<b>\$2,195</b>
<b>Review of curriculum revisions fee</b> .....		<b>\$585</b>
<b>Review of annual compliance report fee</b> .....		<b>\$430</b>
<b>New nursing education program survey visit fee</b> .....		<b>\$1,525</b>

(d) The following fees related to continuing education are charged by the Board:

[ <b>Request, under § 21.134(b) (relating to continuing education sources) by a provider of a</b> ] <b>Approval of each hour of registered nurse</b> continuing education activity <b>by sources</b> not listed in § 21.134(a) [ <b>or an individual seeking credit for a continuing education activity not pre-</b> <b>approved by the Board, for approval of each hour of continuing education for which credit</b> <b>is requested</b> ] <b>(relating to continuing education sources)</b> .....	[ \$75 ]	<b>\$115</b>
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<b>Renewal of approval of registered nurse continuing education activity by sources not listed in</b> § 21.134(a) .....		<b>\$35</b>
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(e) <b>The following fee is charged for evaluations of programs requiring Board approval under</b> § 21.30a(a)(2) <b>(relating to continued competency)</b> .....		<b>\$285</b>
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(f) In addition to the [ **examination and licensure fee** ] **fees** prescribed in subsection (a), which [ **is** ] **are** payable directly to the Board, a candidate for the registered nurse licensing examination shall also pay a fee to the National Council of the State Board of Nursing (www.ncsbn.org) to cover costs associated with the preparation and administration of the registered nurse licensing examination.

**Subchapter B. PRACTICAL NURSES  
GENERAL PROVISIONS**

**§ 21.147. Fees.**

(a) The following **application** fees are charged by the Board for services to licensees **and applicants**:

[ <b>Examination and licensure</b> ] <b>Licensure by examination—Board-approved nursing education</b> <b>program graduates</b> .....	[ \$35 ]	<b>\$95</b>
Reexamination.....	[ \$30 ]	<b>\$75</b>
Licensure by endorsement.....	[ \$100 ]	<b>\$120</b>
<b>Licensure by endorsement with examination</b> .....		<b>\$ 145</b>
Temporary <b>practice</b> permit .....	[ \$35 ]	<b>\$70</b>
Extension of temporary <b>practice</b> permit .....	[ \$60 ]	<b>\$85</b>
Fee for review and challenge of PN [ <b>exams</b> ] <b>exam</b> .....	[ \$170 ]	<b>\$435</b>
[ <b>Application fee for out-of-State graduates</b> ] <b>Licensure by examination—Graduates of</b> <b>out-of-State nursing education programs</b> .....	[ \$100 ]	<b>\$115</b>
Verification of licensure .....	[ \$15 ]	<b>\$45</b>
Reactivation of <b>inactive or lapsed</b> license (5 years or longer).....	[ \$50 ]	<b>\$130</b>
Restoration after suspension or revocation.....	[ \$50 ]	<b>\$60</b>
Certification of scores .....		<b>\$25</b>
[ <b>Certification of license</b> ] <b>Verification of licensure with</b> history.....	[ \$40 ]	<b>\$50</b>

(b) The following **renewal** fees are charged by the Board to support its operations:

Biennial renewal of license .....	[ \$60 ]	<b>\$76</b>
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(c) The following fees are charged by the Board for services to nursing education programs:

Application for approval of new nursing <b>education</b> program .....	[ \$935 ]	<b>\$2,195</b>
<b>Review of curriculum revisions fee</b> .....		<b>\$585</b>
<b>Review of annual compliance report fee</b> .....		<b>\$430</b>
<b>New nursing education program survey visit fee</b> .....		<b>\$1,525</b>

(d) <b>The following fee is charged for evaluations of curricula and programs requiring Board approval</b> <b>under §§ 21.145b(b) and 21.156a(2) (relating to IV therapy curriculum requirements; and continued</b> <b>competency)</b> .....		<b>\$285</b>
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(e) In addition to the [ **examination and licensure fee** ] **fees** prescribed in subsection (a), which [ **is** ] **are** payable directly to the Board, a candidate for the practical nurse licensing examination shall also pay a fee to the National Council of the State Boards of Nursing (www.ncsbn.org) to cover costs associated with the preparation and administration of the practical nurse licensing examination.

**Subchapter C. CERTIFIED REGISTERED NURSE PRACTITIONERS  
GENERAL PROVISIONS**

**§ 21.253. Fees.**

(a) The following **application** fees are charged by the Board for services to licensees **and applicants**:

CRNP [ <b>certification</b> ] <b>Certification—Board-approved nursing education program graduates</b> .....	\$100
<b>CRNP Certification—graduates of out-of-State nursing education programs</b> .....	<b>\$140</b>
Verification of certification.....	[ <b>\$15</b> ] <b>\$45</b>
<b>Verification of certification with history</b> .....	<b>\$50</b>
Application for prescriptive authority .....	[ <b>\$50</b> ] <b>\$95</b>
Each additional [ <b>collaborative agreement</b> ] <b>application</b> for prescriptive authority .....	[ <b>\$30</b> ] <b>\$45</b>
<b>Restoration of CRNP certification after suspension or revocation</b> .....	<b>\$60</b>
<b>Restoration of CRNP prescriptive authority after suspension or revocation</b> .....	<b>\$60</b>

(b) The following **renewal** fees are charged by the Board to support its operations:

Biennial renewal of CRNP certification.....	[ <b>\$75</b> ] <b>\$81</b>
Biennial renewal of prescriptive authority approval .....	[ <b>\$25</b> ] <b>\$41</b>

(c) The following fees for approval and review of CRNP education programs are charged by the Board:

Application for approval of new nursing <b>education</b> program .....	[ <b>\$735</b> ] <b>\$2,195</b>
<b>Review of curriculum revisions fee</b> .....	<b>\$585</b>
<b>Review of annual compliance report fee</b> .....	<b>\$430</b>
<b>New nursing education program survey visit fee</b> .....	<b>\$1,525</b>

(d) **The following fee is charged for course evaluations requiring Board approval under § 21.283(b)(1)(i) (relating to authority and qualifications for prescribing, dispensing and ordering drugs)**..... **\$285**

(e) The following fees related to continuing education are charged by the Board:

[ <b>Application for approval</b> ] <b>Approval of each hour</b> of CRNP continuing education [ <b>course</b> ] <b>activity by sources not listed in § 21.334(a) (relating to sources of continuing education)</b> .....	[ <b>\$100</b> ] <b>\$115</b>
<b>Renewal of approval of CRNP continuing education activity by sources not listed in § 21.334(a)</b> .....	<b>\$35</b>

**Subchapter G. DIETITIAN-NUTRITIONISTS  
GENERAL PROVISIONS**

**§ 21.705. Fees.**

(a) The following **application** fees are charged by the Board for services to licensees **and applicants**:

Application for licensure .....	[ <b>\$45</b> ] <b>\$95</b>
Reactivation of inactive or lapsed license <b>(after 5 years or longer)</b> .....	<b>\$50</b>
[ <b>License verification fee</b> ] <b>Verification of licensure</b> .....	[ <b>\$15</b> ] <b>\$45</b>
[ <b>License certification fee</b> ] <b>Verification of licensure with history</b> .....	[ <b>\$25</b> ] <b>\$50</b>
Restoration after suspension or revocation.....	[ <b>\$50</b> ] <b>\$60</b>
<b>Approval of each hour of LDN continuing education activity by sources not listed in § 21.724(b) (relating to continuing education)</b> .....	<b>\$115</b>
<b>Renewal of approval of LDN continuing education activity by sources not listed in § 21.724(b)</b> .....	<b>\$35</b>

(b) The following **renewal** fees are charged by the Board to support its operations: Biennial renewal of license .....

	[ <b>\$65</b> ] <b>\$71</b>
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(c) In addition to the application fee prescribed in subsection (a), which is payable directly to the Board, a candidate [ **for the Registration Examination for Registered Dietitians** ] shall also pay an additional examination fee[ . A candidate may contact ] **to the Commission on Dietetic Registration[ , 216 West Jackson Blvd., Chicago, IL 60606-6995, www.dcrnet.org for more information regarding the examination and examination fee.**

(d) In addition to the application fee prescribed in subsection (a), which is payable directly to the Board, a candidate for the Certification Board for Nutrition Specialists examination for Certified Nutrition Specialists will also pay an additional examination fee. A candidate may contact the Certification ] or to the Board for Certification of Nutrition Specialists[ , 300 S. Duncan Avenue, Suite 225, Clearwater, FL 33755, www.cbns.org for more information regarding the examination and examination fee ] for the examinations set forth in § 21.722(b) (relating to education and examination of applicants).

Subchapter H. CLINICAL NURSE SPECIALISTS

GENERAL PROVISIONS

§ 21.805. Fees.

(a) The following application fees are charged by the Board:

Certification as a CNS .....	[ \$100 ]	<u>\$115</u>
Biennial renewal fee .....	[ \$50 ]	<u>\$56</u>
Restoration of certificate after [ sanction ] <u>suspension or revocation</u> .....	[ \$50 ]	<u>\$60</u>
[ Restoration of certificate after lapse of 5 years or greater ] <u>Reactivation of inactive or lapsed certificate (5 years or longer)</u> .....		\$50
[ Fee for verification ] <u>Verification</u> of certification.....	[ \$15 ]	<u>\$45</u>
[ Fee for certification of license ] <u>Verification of certification with</u> history.....	[ \$30 ]	<u>\$50</u>
[ Application for approval of a ] <u>Approval of each hour of</u> CNS continuing education activity by sources not listed in § 21.825(a) (relating to sources of continuing education) .....	[ \$75 ]	<u>\$115</u>
<u>Renewal of approval of CNS continuing education activity by sources not listed in § 21.825(a)</u> .....		<u>\$35</u>

(b) In addition to the application fee prescribed in subsection (a), which is payable directly to the Board, a candidate for National certification will also pay an additional fee to the certifying organization. A candidate may contact the certifying organization for more information regarding the National certification examination and examination fee.

[Pa.B. Doc. No. 19-142. Filed for public inspection February 1, 2019, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 52—PUBLIC UTILITIES

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

[ 52 PA. CODE CH. 69 ]

[ M-2017-2604382 ]

#### Third Party Electric Vehicle Charging—Resale/ Redistribution of Utility Service Tariff Provisions

The Pennsylvania Public Utility Commission (Commission) on November 8, 2018, adopted a policy statement that is intended to encourage the development of electric vehicle (EV) charging infrastructure by clarifying that it is the policy of the Commission that an EV charging facility open to the public for the sole purpose of recharging an EV battery should not be construed as a sale to a residential consumer, and requiring that electric distribution companies expressly address EV charging stations in their tariffs.

Public Meeting held  
November 8, 2018

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

*Policy Statement on Third Party Electric Vehicle Charging—Resale/Redistribution of Utility Service Tariff Provisions; M-2017-2604382*

#### Final Policy Statement Order

*By the Commission:*

The Pennsylvania Public Utility Commission (Commission) issued a Proposed Policy Statement at this docket on May 4, 2018 (May 4 Order). The Proposed Policy Statement was designed to reduce regulatory uncertainty surrounding the operation of electric vehicle (EV) charging stations, thereby promoting increased investment in EV charging infrastructure in the Commonwealth. It would reduce regulatory uncertainty by (1) making clear that it is the policy of the Commission that the service provided by an EV charging facility open to the public for the sole purpose of recharging an EV battery should not be construed as a sale of electricity to a residential consumer and (2) requiring that electric distribution companies (EDCs) expressly address EV charging stations in their tariffs. By this Order, the Commission adopts the Policy Statement on Third Party Electric Vehicle Charging—Resale/Redistribution of Utility Service Tariff Provisions contained in the Annex to this Order.

The May 4 Order, including the Annex containing the Proposed Policy Statement, was published in the *Pennsylvania Bulletin* on June 16, 2018. 48 Pa.B. 3584. Comments on the Proposed Policy Statement were due by July 31, 2018.

Comments were filed by Advanced Energy Economy (AEE); ChargePoint, Inc. (ChargePoint); Duquesne Light Company (Duquesne); Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company (collectively, FirstEnergy); the Industrial Energy Consumers of Penn-

sylvania<sup>1</sup> (IECPA); the Pennsylvania Department of Environmental Protection (DEP); the Pennsylvania Office of Consumer Advocate (OCA); PECO Energy Company (PECO); PPL Electric Utilities Corporation (PPL); and the Sierra Club.

#### *Procedural History*

Given the continued growth in the number of EVs registered in Pennsylvania and throughout the nation, the need for EV charging stations will continue to grow as well. The Commission recognized that the resale/redistribution of electricity by third party EV charging stations in the Commonwealth is governed primarily by EDC tariff provisions; however, the Commission also recognized that most EDCs' tariffs do not expressly address EV charging stations. To support increased investment in EV charging infrastructure, the Commission found it necessary to take steps to reduce any regulatory uncertainty surrounding the operation of EV charging stations.

Recognizing that questions exist regarding (1) the impact of Section 1313 of the Public Utility Code, 66 Pa.C.S. § 1313 (relating to price upon resale of public utility service; hereafter "Section 1313"), and (2) the EDC resale/redistribution tariff provisions on third party EV charging stations, and given the increasing need for those stations, the Commission was concerned that regulatory uncertainty would limit the number of operators willing to enter the Pennsylvania market. As such, on June 15, 2017, the Commission issued a Secretarial Letter seeking Comments on EDC resale/redistribution tariff provisions and how they may affect the operation of third party EV charging stations. Specifically, the Commission sought Comments on the following topics:

- What restrictions, if any, each EDC's existing tariff places on the resale/redistribution of electric power by third party EV charging.
- The advantages and disadvantages of specific tariff provisions permitting unrestricted resale/redistribution of electric power when done for the purpose of third party EV charging.
- Whether it is appropriate to encourage EDCs across the state to move toward a tariff design, such as that of Duquesne Light Company, which includes provisions permitting the resale/redistribution of electric power for third party EV charging.
- What other resale/redistribution tariff provision designs may aid in establishing clear rules for third party EV charging stations.
- What other regulatory options may aid in establishing clear resale/redistribution rules for third party EV charging stations.

Comments on the Secretarial Letter were received from numerous interested parties. Most Commenters agreed on three main points: (1) that EV charging stations should not be subject to Section 1313 because they are providing a service, not reselling/redistributing electricity; (2) that the various EDC resale/redistribution tariff provisions create uncertainty and inconsistency throughout the

<sup>1</sup> IECPA is an association of energy-intensive industrial consumers of electricity and natural gas. For purposes of this matter, IECPA's membership includes Air Products & Chemicals, Inc.; AK Steel Corporation; Arconic, Inc.; ArcelorMittal USA LLC; Benton Foundry, Inc.; Carpenter Technology Corporation; East Penn Manufacturing Company; Knouse Foods Cooperative, Inc.; Praxair, Inc.; Procter & Gamble Paper Products Company; and United States Gypsum Company.



state; and (3) that eliminating such regulatory uncertainty is a necessary step to encourage the development of EV charging station infrastructure. Further, commenters generally agreed that as part of the effort to alleviate regulatory uncertainty, EDCs should be encouraged to adopt tariff provisions expressly addressing third party EV charging stations, including provisions requiring EV charging station operators to notify the appropriate EDC in advance of the construction of an EV charging station to allow the EDC an opportunity to assess the impact of the additional load and take any necessary remedial action. May 4 Order at 3—5.

The OCA highlighted the distinction between electricity for use as a transportation fuel and electricity as an essential public utility service. AEE further elaborated on this distinction, stating that third party EV charging station businesses are unique and should be permitted to resell electricity to drivers as needed. The Sierra Club submitted that an EV driver receiving charging service from a commercial operation is not a residential customer and therefore the provisions of Section 1313 of the Public Utility Code should not apply. The Commission concurred with this position and believed it would be prudent to foster further transparency of this distinction to reduce any uncertainty related to EDC tariff restrictions for resale/redistribution and/or statutory restrictions pursuant to Section 1313. Such transparency, the Commission found, could be accomplished through the development of tariff provisions for EV charging stations that establish clear terms and conditions for service. May 4 Order at 5.

Although there were areas of disagreement among commenters—whether there should be tariff-based restrictions on third party EV charging stations at all; whether there should be uniform tariff provisions across the state—and additional areas that some commenters wanted to address—the allocation of EDC costs for making upgrades to prepare for the installation of EV charging facilities; the prices EV charging stations pay for electricity and the prices they charge their customers; whether the proceeding should be expanded into a formal rulemaking—based on a review of the comments, the Commission made the following conclusions:

- The number of EVs as well as the corresponding infrastructure for charging continues to grow throughout the Commonwealth.
- Notification of third party EV charging station locations is vital to EDCs' distribution planning.
- Elimination of any regulatory uncertainty is an important step in supporting, and potentially accelerating, the continued build-out of EV infrastructure.
- There is a lack of clarity as to the resale/redistribution restrictions applicable to third party EV charging stations pursuant to EDC tariffs and pursuant to Section 1313 of the Public Utility Code.
- There is a lack of uniformity among EDC tariffs relating to the application of resale/redistribution restrictions on third party EV charging stations.
- It should be the Commission's policy to remedy this lack of clarity across the Commonwealth for the betterment of the EV marketplace in the Commonwealth.

May 4 Order at 4—6.

The Commission believed that the regulatory uncertainty created by the question of Section 1313's applicability to third party EV charging stations and the lack of consistency regarding EDC tariff provisions addressing EV charging stations may serve as a barrier to their

entry into Pennsylvania's EV marketplace. Given the increasing need for EV charging stations, the Commission sought to promote investment in EV charging infrastructure by eliminating this regulatory uncertainty. Accordingly, the Commission issued for comment its Proposed Policy Statement.

The Proposed Policy Statement consists of two sections:

A. *52 Pa. Code § 69.3501 (Section 1313 of the Public Utility Code)*

This section is to make clear the Commission's policy that a third party—any entity other than a public utility—owning and operating an EV charging facility that is open to the public for the sole purpose of recharging an EV battery should not be construed to be a sale to a residential consumer and should therefore not fall under the pricing requirements of Section 1313.

B. *52 Pa. Code § 69.3502 (Electric vehicle charging tariff provisions)*

This section is to require EDCs to address, at a minimum, two issues relating to EV charging facilities in their tariffs: (1) reflect the statement of law in Section 1313, along with the Commission's policy to exclude third party EV charging stations from the pricing requirements of Section 1313, as described in § 69.3501(b) and (2) rules for when and how owners and operators of such third party EV charging stations are to notify the EDC of a planned installation of the EV charging facilities and for what information the EDC will need in advance.

*Discussion*

The issues discussed above clearly demonstrate the Commission's desire to promote the development of third party EV charging infrastructure throughout the Commonwealth by reducing the regulatory uncertainty faced by EV charging station operators. The purpose of this Policy Statement is to promote investment in EV charging infrastructure by (1) making clear that it is the policy of the Commission that an EV charging facility open to the public for the sole purpose of recharging an EV battery should not be construed as a sale of electricity to a residential consumer and (2) requiring that EDCs expressly address EV charging stations in their tariffs. As such, the Commission adopts this Policy Statement on Third Party Electric Vehicle Charging—Resale/Redistribution of Utility Service Tariff Provisions.

1. *Comments*

AEE, DEP, Duquesne, FirstEnergy, OCA, PECO, PPL, and the Sierra Club support the Proposed Policy Statement.<sup>2</sup> They assert that the Proposed Policy Statement will provide regulatory clarity—by making clear that Section 1313 of the Public Utility Code does not apply to the operation of EV charging stations and by requiring EDCs to address EV charging in their tariffs—and thereby promote investment in third party EV charging infrastructure in Pennsylvania.<sup>3</sup>

Further, AEE requests that the Commission finalize the Proposed Policy Statement as soon as possible.<sup>4</sup> DEP notes the environmental and health benefits that will accrue from promoting EVs and the development of EV charging infrastructure.<sup>5</sup> Duquesne notes its appreciation

<sup>2</sup> AEE Comments at 1; DEP Comments at 2; Duquesne Comments at 3; FirstEnergy Comments at 1; OCA Comments at 3, 4-5; PECO Comments at 1; PPL Comments at 3, 5; and Sierra Club Comments at 1.

<sup>3</sup> AEE Comments at 1-2; DEP Comments at 1-2; Duquesne Comments at 3; FirstEnergy Comments at 1-2; OCA Comments at 2—4; PECO Comments at 1-2; PPL Comments at 3-4; and Sierra Club Comments at 1-2.

<sup>4</sup> AEE Comments at 2.

<sup>5</sup> DEP Comments at 1.

of the Commission's recognition of the importance of advance notice for distribution system planning.<sup>6</sup> PPL requests that the Proposed Policy Statement include a streamlined procedure for EDCs to obtain Commission approval to amend tariffs consistent with the policy statement.<sup>7</sup> And the Sierra Club requests that any notice requirements in EDC tariffs be reasonable so as not to significantly delay or impede the development of EV charging infrastructure.<sup>8</sup>

IECPA supports the Proposed Policy Statement in general; however, the group believes it is incomplete. IECPA asserts that EDC tariff provisions should address the allocation of EDC costs associated with upgrading distribution networks to meet additional loads and connecting to EV charging stations. In IECPA's opinion, tariffs should make clear that those costs are to be directly allocated to EV charging station owners and operators consistent with standard cost causation principles as identified in the Public Utility Code.<sup>9</sup> 66 Pa.C.S. § 1301(a).

ChargePoint also generally supports the Proposed Policy Statement, though does assert that it leaves some non-utility EV charging station operators ("site hosts") facing regulatory uncertainty regarding the applicability of Section 1313. Site hosts, ChargePoint notes, often provide EV charging equipment as an ancillary benefit/service for their customers or employees (for example, a hotel, retail establishment, or workplace). Those facilities may not be open to the public or may be available for public use only during limited hours. Even if the charging equipment is available to the public, ChargePoint argues that the Proposed Policy Statement may not protect such operations because the "sole purpose" of the business is not to recharge EV batteries.<sup>10</sup>

Given those concerns, ChargePoint requests that the Proposed Policy Statement be expanded so that it clearly applies to (1) all third party EV charging stations, not strictly only those open to the public, or (2) sites that offer EV charging equipment as an ancillary service and sites that provide equipment for semi-public EV charging. Further, ChargePoint requests that the policy statement with its proposed modifications be implemented by the Commission and thereafter that the Commission establish an investigatory docket "to consider the full range of regulatory issues related to EVs and EV charging."<sup>11</sup>

## 2. Disposition

The Commission agrees with AEE, DEP, Duquesne, FirstEnergy, OCA, PECO, PPL, and the Sierra Club that this Policy Statement will provide regulatory clarity and thereby promote investment in EV charging infrastructure throughout Pennsylvania. Further, the Commission recognizes the importance of this Policy Statement to EV drivers, third party EV charging station owners and operators, and EDCs, among other interested parties. As such, as requested by AEE, the Commission will act without delay to finalize this Policy Statement.

The Commission also agrees with PPL that there should be a streamlined procedure for EDCs to amend their tariffs consistent with this Policy Statement; however, the Commission will not modify the Policy Statement itself to create such a procedure. The Commission will request that EDCs amend their tariffs to address

third party EV charging stations consistent with this Policy Statement by filing tariff modifications with the Commission after the Policy Statement's publication in the *Pennsylvania Bulletin*. The standard 60-day notice period for public comment required for tariff changes will be reduced to 30 days as permitted by Commission regulations. See 52 Pa. Code § 53.31. Then, after the comment/protest deadline passes—assuming no protests are filed and the Commission's Bureau of Technical Utility Services (TUS) agrees with the proposed tariff changes—TUS will prepare an Order for the next public meeting approving the changes.

The Sierra Club requests that the advance notice requirements in EDC tariffs be reasonable. IECPA requests that the Policy Statement make clear that EDC costs associated with upgrades and connection to EV charging stations be allocated to EV charging station owners and operators. And ChargePoint requests that (1) the Policy Statement be expanded so that it clearly applies to all third party EV charging stations and (2) the Commission broadly investigate regulatory issues related to EVs and EV charging.

To be clear, the Commission does not regulate the operation of EVs or EV charging stations. And there is a limit to the extent that the Commission can impose requirements on EDCs through a policy statement. The terms proposed by the Sierra Club, IECPA, and ChargePoint cannot necessarily be imposed through a policy statement. They may require the Commission to engage in a formal rulemaking proceeding—a proceeding that would address activity not regulated by the Commission and issues best left to the operation of the free market.

Further, the proposals of the Sierra Club, IECPA, and ChargePoint are beyond the limited scope of this proceeding. The purpose of this Policy Statement is to provide regulatory clarity, thereby promoting the development of EV charging infrastructure in Pennsylvania, by (1) making clear the Commission's policy that an EV charging facility for the sole purpose of recharging an EV battery should not be construed as a sale to a residential consumer—that is, that Section 1313's pricing limitations do not apply to EV charging stations—and (2) requiring that EDCs expressly address the applicability of Section 1313 and advance notice requirements in their tariffs. The Policy Statement is not meant to address all issues associated with EVs and EV charging.

Regarding the Sierra Club's concerns, the Commission believes that EDCs support the Policy Statement and will not create notice requirements that will unreasonably delay or impede the development of EV charging infrastructure. In addition, the Commission notes that the purpose of the advance notice requirement is to ensure the safety and reliability of the distribution system by giving the EDCs time to evaluate and prepare for the additional load required to serve a new EV charging station. The Commission believes that EDCs will take the steps necessary to ensure the safety and reliability of the distribution system without unreasonably delaying the development of EV charging stations.

Regarding ChargePoint's concerns, the Commission intends for the Proposed Policy Statement to apply to all EV charging facilities—including those at hotels, retail establishments, and workplaces. Like a stand-alone EV charging station, EV charging facilities at those sites would not constitute resale of utility service to a "residential consumer," so Section 1313 would not apply to the transaction. However, as discussed in Section 3 below, the

<sup>6</sup> Duquesne Comments at 4.

<sup>7</sup> PPL Comments at 3-4.

<sup>8</sup> Sierra Club Comments at 2.

<sup>9</sup> IECPA Comments at 2-3.

<sup>10</sup> ChargePoint Comments at 2-3.

<sup>11</sup> ChargePoint Comments at 3.

Commission will amend its Policy Statement to address ChargePoint's concerns regarding the "semi-public" nature of some EV charging facilities.

Aside from the modification relating to the semi-public nature of some charging facilities, the Commission will not amend its Policy Statement to address the issues raised by the Sierra Club, IECPA, and ChargePoint. If significant problems arise with respect to those issues, they will be brought to the Commission's attention and can be addressed through a more appropriate proceeding.

### 3. *Minor Revisions to Section 69.3501(b)*

The Commission will make minor changes to Section 69.3501(b) of the Policy Statement to make the statement more concise. First, the Commission will add language to make clear that the Policy Statement applies to "electricity sales by" an entity "for compensation" (lines one and five, respectively). Second, the Commission will remove "electric cooperative corporation, municipal authority, or municipal corporation" (lines two and three) to make clear that the Policy Statement applies to any third party entity (that is, any entity that is not a regulated "public utility"). Finally, for plural subject agreement, the Commission will change "a sale to a residential consumer" to "sales to residential consumers" (line five).

Further, as noted above, the Commission will remove the language "that is open to the public" (line four) from Section 69.3501(b). That modification will make clear that the Policy Statement applies to the operation of any third party EV charging facility, regardless of whether it is open to the public or not.

### *Conclusion*

Based on the foregoing discussion, we will adopt this Policy Statement regarding Third Party Electric Vehicle Charging—Resale/Redistribution of Utility Service Tariff Provisions; *Therefore,*

#### *It Is Ordered That:*

1. The final policy statement as set forth in Annex A is adopted.

2. Each electric distribution company should file a tariff amendment with the Commission to address third party EV charging consistent with this Policy Statement after the Policy Statement's publication in the *Pennsylvania Bulletin*.

3. The Commission will waive the 60-day public notice requirement for tariff changes and reduce that notice period to 30 days pursuant to Commission regulations at 52 Pa. Code § 53.31.

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

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

6. The policy statement shall become effective upon publication in the *Pennsylvania Bulletin*.

7. A copy of this Order, together with Annex A, be served on all jurisdictional electric distribution companies, the Office of Consumer Advocate, the Office of Small Business Advocate, the Commission's Bureau of Investigation and Enforcement, the Office of Attorney General—Bureau of Consumer Protection, and all parties that filed comments under this docket.

8. The contact person for technical issues related to this matter is Darren Gill, Deputy Director, Bureau of

Technical Utility Services, at (717) 783-5244 or dgill@pa.gov. The contact persons for legal issues related to this matter are Scott Thomas, (717) 783-2812 or sjthomas@pa.gov, and Joseph Cardinale, (717) 787-5558 or jcardinale@pa.gov, Assistant Counsel in the Law Bureau.

ROSEMARY CHIAVETTA,  
*Secretary*

**Fiscal Note:** Fiscal Note 57-321 remains valid for the final adoption of the subject regulations.

*Statement of Chairperson Gladys M. Brown*

Today the Commission acts to finalize policies which foster regulatory clarity for the Commonwealth's electric vehicle charging industry. Furthermore, we take a large step toward designing a regulatory landscape which supports innovative and dynamic pricing for electric vehicle charging. The Commission does so via a Policy Statement announcing that third-party charging stations are not subject to resale/redistribution pricing restrictions and by advising electric distribution companies to codify this policy in their respective tariffs. I am pleased to take this action today as I believe it will work to facilitate progress in the Commonwealth's burgeoning electric vehicle landscape.

Additionally, the Commission's action today supports tariff provisions requiring customers to notify electric distribution companies of any planned build-out of electric vehicle charging stations. Technological advancements, including the advent of electric vehicles, are transforming the electric consumption profiles of customers and the grid as a whole. As such, it is of paramount importance that electric utilities be able to adapt their infrastructure to support this transformation in an economic manner. These tariff provisions will work to enhance utility's informational awareness and thus support more efficient distribution system planning.

I look forward to reviewing the tariff filings made pursuant to the Commission's action today.

GLADYS M. BROWN,  
*Chairperson*

## ANNEX A

### TITLE 52. PUBLIC UTILITIES

#### PART I. PUBLIC UTILITY COMMISSION

##### Subpart C. FIXED UTILITY SERVICES

#### CHAPTER 69. GENERAL ORDERS, POLICY STATEMENTS AND GUIDELINES ON FIXED UTILITIES

#### THIRD PARTY ELECTRIC VEHICLE CHARGING—RESALE/REDISTRIBUTION OF UTILITY SERVICE TARIFF PROVISIONS—STATEMENT OF POLICY

§ 69.3501. Section 1313 of the Public Utility Code (66 Pa.C.S. § 1313).

(a) Section 1313 of the Public Utility Code, 66 Pa.C.S. § 1313 (relating to price upon resale of public utility services), applies restrictions on the resale of utility service to residential customers.

(b) It shall be the policy of the Commission that electricity sales by a person, corporation or other entity, not a public utility, owning and operating an electric vehicle charging facility for the sole purpose of recharging an electric vehicle battery for compensation should not be construed to be sales to residential consumers and should therefore not fall under the pricing requirements of 66 Pa.C.S. § 1313.

**§ 69.3502. Electric vehicle charging tariff provisions.**

It is the policy of the Commission that all jurisdictional electric distribution companies should have tariff language providing clarity as to its rules regarding third party owned and operated electric vehicle charging stations that should address at least the following issues:

(1) Reflect the statement of law in 66 Pa.C.S. § 1313 (relating to price upon resale of public utility services), along with this Commission's policy statement that excludes third party electric vehicle charging stations, as

described in § 69.3501(b) (relating to Section 1313 of the Public Utility Code (66 Pa.C.S. § 1313)), from the pricing requirements of 66 Pa.C.S. § 1313.

(2) When and how owners and operators of such third party electric vehicle charging services are to notify the electric distribution company of a planned installation of the electric vehicle charging facilities and the information the electric distribution company needs in advance.

[Pa.B. Doc. No. 19-143. Filed for public inspection February 1, 2019, 9:00 a.m.]

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# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, February 13, 2019. A business meeting will be held the following month on Wednesday, March 13, 2019. The hearing and business meeting are open to the public and will take place at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, PA.

*Public hearing.* The public hearing on February 13, 2019, will begin at 1:30 p.m. Hearing items include draft dockets for withdrawals, discharges and other projects that could have a substantial effect on the basin's water resources, as well as resolutions to: (a) adopt the Water Resources Program for Fiscal Years 2019–2021; (b) continue the Monitoring Advisory and Coordination Committee; and (c) continue the Water Quality Advisory Committee.

Written comments on matters scheduled for hearing on February 13, 2019, will be accepted through 5 p.m. on February 19, 2019. Time permitting, an opportunity for open public comment will be provided upon the conclusion of Commission business at the March 13, 2019, business meeting.

The public is advised to check the Commission's web site periodically prior to the hearing date, as items scheduled for hearing may be postponed if additional time is deemed necessary to complete the Commission's review and items may be added up to 10 days prior to the hearing date. In reviewing docket descriptions, the public is also asked to be aware that project details commonly change during the Commission's review, which is ongoing.

1. *GEO Specialty Chemicals, Inc., D-1965-122-2.* An application to renew the approval to continue to withdraw up to 139.5 million gallons per month (mgm) of water from eight existing wells for noncontact cooling, industrial processes and potable use at the docket holder's existing chemical manufacturing facility. The project wells are completed in the Epler and Ontelaunee formations in the Lower Jordan Creek Watershed within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in South Whitehall Township, Lehigh County, PA.

2. *Brookhaven Borough, D-1966-096 CP-5.* An application to renew the approval of the existing 0.192 million gallons per day (mgd) Brookhaven Borough Wastewater Treatment Plant (WWTP) and its discharge. The WWTP will continue to discharge to Chester Creek at River Mile 82.93–4.3 (Delaware River—Chester Creek) in Brookhaven Borough, Delaware County, PA.

3. *Melody Lakes Management, LLC, D-1980-079 CP-6.* An application to renew the approval of the applicant's existing 0.072 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) of Tohickon Creek upstream of Lake Nockamixon, at River Mile 157.0–11.8–6.4–9.1–0.1 (Delaware River—Tohickon Creek—Lake Nockamixon—Tohickon Creek—UNT Tohickon Creek) within the drainage area of the section of the nontidal Delaware River

known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Richland Township, Bucks County, PA.

4. *Kimberly-Clark Corporation, D-1984-053-3.* An application to renew the approval of the discharge of up to 0.1 mgd of noncontact cooling water (NCCW) and up to 2.0 mgd of filter backwash and reverse osmosis water overflow (on an emergency basis) from the Kimberly-Clark Chester Facility. The facility will continue to discharge directly to Delaware River Water Quality Zone 4 at River Mile 82.8, in the City of Chester, Delaware County, PA.

5. *Brightsmith, LLC, D-1985-059-3.* An application to renew the approval of the existing 0.05 mgd Brightsmith Industrial Wastewater Treatment Plant (IWTP) and its discharge of treated industrial wastewater and NCCW. The application also requests to renew approval of a total dissolved solids (TDS) determination of 2,500 milligrams/liter (mg/l) average monthly effluent concentration. The IWTP will continue to discharge to a stormwater ditch which discharges to Biles Creek, which is a tidal tributary of Delaware River Water Quality Zone 2 at River Mile 130.3–1.9 (Delaware River—UNT Biles Creek) in Falls Township, Bucks County, PA.

6. *Eagle Lake Community Association, Inc., D-1987-055-4.* An application to renew the approval of the existing 0.5 mgd Eagle Lake Community WWTP and its discharge. The WWTP will continue to discharge treated effluent to a UNT of Tamarack Creek at River Mile 183.7–106.6–2.9–0.3 (Delaware River—Lehigh River—Tamarack Creek—UNT Tamarack Creek), by means of Outfall No. 001, located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Covington Township, Lackawanna County, PA.

7. *Delaware City Refining Company, LLC, D-1993-004-7.* An application to renew the approval of an existing groundwater withdrawal of up to 186 mgm and a surface water withdrawal of up to 452 mgd to supply the applicant's Delaware City refinery and electric generating station from nine wells and surface water intakes on the Delaware River, Red Lion Creek and Dragon Run. The Delaware River intake is limited to a 303-mgd average over a year period. The requested allocation is not an increase from the previous allocation. The project's existing groundwater withdrawals and surface water withdrawals from the Red Lion Creek and Dragon Run intakes are approved by the Delaware Department of Natural Resources and Environmental Control (DNREC) and will continue to be regulated in accordance with the Administrative Agreement (AA) entered on July 2010 and modified on May 8, 2013, by the Commission and the State of Delaware. The project wells are completed in the Upper, Middle and Lower Potomac formations. The project is in Delaware River Water Quality Zone 5, C&D Canal East, Dragon Run and Red Lion Creek watersheds in Delaware City, New Castle County, DE.

8. *NRG REMA, LLC, D-1993-060-2.* An application to renew the approval of a surface water withdrawal of up to 67.1 mgm from the Delaware River and a consumptive use of up to 12.8 mgm for industrial purposes at the existing Portland Generating Station. The requested total allocation is a reduction from the previously approved allocation of 9,580 million gallons per 30 days (mg/30 days) due to deactivation of two coal-fired units and the



associated noncontact cooling requirements. The consumptive use is an increase from the previously approved consumptive use of 3.3 mg/30 days to allow flexibility to operate the facility continuously at full load. The existing withdrawal is in Zone 1-D within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Upper Mount Bethel Township, Northampton County, PA.

9. *Georgetown Town, D-1994-037 CP-3*. An application to renew the approval of an existing export project of up to 1.15 mgd to the Atlantic Basin from existing Wells Nos. 1, 1A and 2R located in the Delaware River Basin to supply water to the applicant's public water supply distribution system. The applicant also requests to renew the approval to withdraw up to 43.2 mgm of groundwater from three groundwater sources. The requested allocation is not an increase from the previous allocation. The project's existing groundwater withdrawals are approved by DNREC and will continue to be regulated by DNREC in accordance with the AA between the Commission and the State of Delaware. The wells are in the Broadkill River Watershed in the Town of Georgetown, Sussex County, DE.

10. *Lehigh Township Municipal Authority, D-1994-053 CP-3*. An application to renew the existing 0.3 mgd Danielsville WWTP and its related discharge. The WWTP will continue to discharge treated effluent to Bertsch Creek at River Mile 183.7—31.0—4.2 (Delaware River—Lehigh River—Bertsch Creek) by means of Outfall No. 001, located within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Lehigh Township, Northampton County, PA.

11. *Lehigh Township Municipal Authority, D-1994-054 CP-3*. An application to renew the approval of the existing 0.06 mgd Pennsville WWTP and its related discharge. Treated effluent will continue to discharge to Indian Creek at River Mile 183.7—22.6—4.2—2.1 (Delaware River—Lehigh River—Hokendauqua Creek—Indian Creek), by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Lehigh Township, Northampton County, PA.

12. *Richland Township Water Authority, D-1996-044 CP-4*. An application to renew the approval of an existing groundwater withdrawal of up to 46.55 mgm to supply the applicant's public water supply distribution system from existing Wells Nos. RC-1, RTW-1, RTW-2, WB-2, WB-3 and QCS-1. The approval will also remove Wells Nos. ML-2, ML-3 and ML-4 from the docket. The project wells are completed in the Brunswick Formation. The requested allocation is not an increase from the previous approval. The project is in the Tohickon Creek Watershed in Richland Township, Bucks County, PA, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

13. *Central Carbon Municipal Authority, D-1999-048 CP-3*. An application to renew the approval of the existing 1.6 mgd Central Carbon Municipal Authority WWTP and its related discharge. The existing WWTP will continue to discharge treated effluent to the Lehigh River at River Mile 183.7—42.3 (Delaware River—Lehigh River), by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the

Lower Delaware, which the Commission has classified as Special Protection Waters, in Mahoning Township, Carbon County, PA.

14. *Westfall Township Municipal Authority, D-2002-023 CP-6*. An application to renew the approval of the existing 0.374 mgd Westfall Township Municipal Authority WWTP and its discharge. The WWTP will continue to discharge treated effluent directly to the section of the nontidal Delaware River known as the Middle Delaware, in Water Quality Zone 1C at River Mile 252.5, by means of Outfall No. 001, which the Commission has classified as Special Protection Waters, in Westfall Township, Pike County, PA.

15. *Maxatawny Township Municipal Authority, D-2007-001 CP-3*. An application to renew the approval of the existing 0.14 mgd Maxatawny WWTP and its discharge. The WWTP will continue to discharge to Sacony Creek at River Mile 92.5—86.2—2.9—5.4—2.1—6.6 (Delaware River—Schuylkill River—Maiden Creek—Lake Ontelaunee—Maiden Creek—Sacony Creek) in Maxatawny Township, Berks County, PA.

16. *UMH Properties, Inc., D-2007-022 CP-2*. An application to include this project into the Commission's Comprehensive Plan. The application also requests approval of a withdrawal of up to 6.0 mgm of groundwater from Wells Nos. 1 and 2 which are located within the Delaware River Basin. The project's existing groundwater withdrawals are approved by the New Jersey Department of Environmental Protection (NJDEP) and will continue to be regulated by NJDEP in accordance with the AA between the Commission and the State of New Jersey. The Fairview Manor Mobile Home Park water supply system and wells are in Vineland City, Cumberland County, NJ.

17. *UMH Properties, Inc., D-2009-021 CP-3*. An application to renew the approval of the existing 0.08325 mgd Highland Estates Mobile Home Park WWTP and its discharge. The WWTP will continue to discharge treated effluent to a UNT of Mill Creek at River Mile 92.5—86.2—2.9—5.4—2.1—5.6—5.1—1.0 (Delaware River—Schuylkill River—Maiden Creek—Lake Ontelaunee—Maiden Creek—Sacony Creek—Mill Creek—UNT Mill Creek) in Greenwich Township, Berks County, PA.

18. *Pocono Plateau Christian Association, D-2013-011 CP-2*. An application to renew the approval of the existing 0.015 mgd Pocono Plateau Camp WWTP and its discharge. The WWTP will continue to discharge treated effluent to a UNT of Taylor Creek at River Mile 277.7—15.8—30.6—2.3—0.83 (Delaware River—Lackawaxen River—Wallenpaupack Creek—Taylor Creek—UNT Taylor Creek) by means of Outfall No. 001, within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Coolbaugh Township. The WWTP is in Barrett Township. Both townships are in Monroe County, PA.

19. *Maple Lane Estates c/o PMI, D-2014-004 CP-2*. An application to renew the approval of the applicant's existing 0.035 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to Pond Creek at River Mile 183.7—66.8—1.9—5.2 (Delaware River—Lehigh River—Sandy Run—Pond Creek) within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Foster Township, Luzerne County, PA.

20. *Glenn Springs Holdings, Inc., D-1976-017-4*. An application to renew the approval of a groundwater

withdrawal, treatment and discharge with a decrease in allocation from 15.5 mgm to 9.22 mgm from the docket holder's existing groundwater remediation system. Groundwater is withdrawn from eleven existing recovery wells and one new recovery well all completed in the Brunswick Formation. Groundwater is treated by carbon absorption and air stripping before it is discharged by means of existing Outfall No. 5 to the Schuylkill River at River Mile 92.47—50.9 (Delaware River—Schuylkill River), in Lower Pottsgrove Township, Montgomery County, PA. No increase in the previously approved groundwater allocation or treatment capacity is proposed. The groundwater remediation project is located within the Commission's designated Southeastern Pennsylvania Ground Water Protected Area in Lower Pottsgrove Township, Montgomery County, PA.

21. *Knights Bridge Corporation, D-1990-054-2.* An application to approve an upgrade and expansion to the docket holder's existing 0.045 mgd WWTP and its discharge. The proposed upgrade and expansion will consist of increasing the facility's discharge to 0.090 mgd, abandoning the existing treatment facilities, replacing the treatment process with a new membrane bioreactor system, new headworks facilities, including new grit removal and screening systems, replacing chlorine contact units with ultraviolet (UV) disinfection and appurtenant upgrades. The 0.090 mgd WWTP will continue to discharge to a UNT of Harvey Run at River Mile 70.7—1.5—14.7—2.0—0.9 (Delaware River—Christina River—Brandywine Creek—Harvey Run—UNT Harvey Run), by means of existing Outfall No. 001, within the drainage area of Delaware River Zone C7, in Chadds Ford Township, Delaware County, PA.

22. *Delaware County Regional Water Quality Control Authority-DELCORA, D-1992-018 CP-4.* An application to renew and modify the approval of the docket holder's Western Regional WWTP and its discharge including a rerate of the WWTP from 44 mgd to 50 mgd, which is conditioned upon the construction of a new outfall at the existing WWTP. The proposed outfall construction project and re-rate was approved by Commission Docket No. D-1992-018 CP-3 on June 15, 2016, however, the project has yet to be constructed. The requested modification to the Commission approval consists of an increase in the CBOD20 allocation for the WWTP from 10,500 pounds per day (lbs/day) to 13,761 lbs/day (under 44 mgd operation) and to 15,638 lbs/day (under 50 mgd operation). The WWTP will continue to discharge to Delaware River Water Quality Zone 4 at River Mile 80.7 in the City of Chester, Delaware County, PA.

23. *Village of Buckingham Springs, D-2009-040 CP-3.* An application to renew the approval of the docket holder's existing 0.1 mgd WWTP and its discharge and a modification of a TDS determination increasing the average monthly TDS effluent limit from 1,000 mg/l to 1,500 mg/l. Treated effluent will continue to be discharged to Mill Creek, a tributary of Neshaminy Creek, at River Mile 115.6—23.4—5.0 (Delaware River—Neshaminy Creek—Mill Creek), in Buckingham Township, Bucks County, PA.

24. *Gessner Products Company, Inc., D-2017-014-1.* An application to approve the existing 0.100 mgd Gessner Products Ambler Facility and its discharge. The facility will continue to discharge nonprocessed NCCW to a UNT of Wissahickon Creek, referred to as Rose Valley Creek, at River Mile 92.47—12.6—13.8—0.5 (Delaware River—Schuylkill River—Wissahickon Creek—UNT Wissahickon Creek/Rose Valley Creek) by means of Outfall No. 001, in Ambler Borough, Montgomery County, PA.

25. *Brookmont Health Care Center, D-2018-004-1.* An application to approve the existing 0.040 mgd Brookmont Health Care Center WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Pohopoco Creek at River Mile 183.7—41.4—26.5 (Delaware River—Lehigh River—Pohopoco Creek), by means of Outfall No. 001, upstream of the Beltzville Reservoir and within the drainage area of the section of the nontidal Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Chestnuthill Township, Monroe County, PA.

26. *Bangor Area School District, D-2018-007 CP-1.* An application to approve the existing 0.023 mgd WWTP and its discharge, and to approve an upgrade replacing the existing WWTP with a new WWTP to be constructed adjacent to the existing WWTP. The upgrade consists of a headworks facility with a fine screen, a new extended aeration package plant, a tertiary filter, and a UV light disinfection system. The proposed WWTP will remain designed for 0.023 mgd and will continue to discharge to a UNT of Jacoby Creek, at River Mile 207.5—2.3—2.4 (Delaware River—Jacoby Creek—UNT Jacoby Creek) within the drainage area of the section of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Upper Mount Bethel Township, Northampton County, PA.

27. *Windsor Hills Estates, D-2018-009-1.* An application to approve the new 0.036 mgd Windsor Hill Estates WWTP and its discharge. The WWTP will consist of a sequencing batch reactor treatment system with sand filters and UV light disinfection. The WWTP will discharge to a UNT of Kinne Brook upstream of the Mongaup System, at River Mile 261.1—15.9—5.0—2.2 (Delaware River—Mongaup River—Kinne Brook—UNT Kinne Brook) within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in the Town of Thompson, Sullivan County, NY.

*Public meeting.* The public business meeting on March 13, 2019, will begin at 10:30 a.m. and will include: adoption of the minutes of the Commission's December 12, 2018, business meeting; announcement of upcoming meetings and events; a report on hydrologic conditions; reports by the Executive Director and the Commission's General Counsel; and consideration of any items for which a hearing has been completed or is not required.

After all scheduled business has been completed and as time allows, the business meeting will also include up to 1 hour of open public comment.

There will be no opportunity for additional public comment for the record at the March 13, 2019, business meeting on items for which a hearing was completed on February 13, 2019, or a previous date. Commission consideration on March 13, 2019, of items for which the public hearing is closed may result in approval of the item (by docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an additional period for written comment on the item, with or without an additional hearing date, or they may take additional time to consider the input they have already received without requesting further public input. Any deferred items will be considered for action at a public meeting of the Commission on a future date.

*Advance sign-up for oral comment.* Individuals who wish to comment on the record during the public hearing

on February 13, 2019, or to address the Commissioners informally during the open public comment portion of the meeting on March 13, 2019, as time allows, are asked to sign-up in advance through EventBrite. Links to EventBrite for the public hearing and the business meeting are available at [www.drbc.gov](http://www.drbc.gov). For assistance contact Paula Schmitt at [paula.schmitt@drbc.gov](mailto:paula.schmitt@drbc.gov).

*Submitting written comment.* Written comment on items scheduled for hearing may be made through the Commission's web-based comment system, a link to which is provided at [www.drbc.gov](http://www.drbc.gov). Use of the web-based system ensures that all submissions are captured in a single location and their receipt is acknowledged. Exceptions to the use of this system are available based on need by writing to the attention of the Commission Secretary, Delaware River Basin Commission, P.O. Box 7360, 25 Cosey Road, West Trenton, NJ 08628-0360. For assistance in using the web-based comment system contact Paula Schmitt at [paula.schmitt@drbc.gov](mailto:paula.schmitt@drbc.gov).

*Accommodations for special needs.* Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the meeting or hearing should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission can accommodate their needs.

*Additional information and contacts.* Additional public records relating to hearing items may be examined at the Commission's offices by appointment by contacting Denise McHugh at (609) 883-9500, Ext. 240. For other questions concerning hearing items, contact David Kovach, Project Review Section Manager, at (609) 883-9500, Ext. 264.

PAMELA M. BUSH,  
Secretary

[Pa.B. Doc. No. 19-144. Filed for public inspection February 1, 2019, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending January 22, 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>
01-17-2019	Centric Bank Harrisburg Dauphin County	105 Lancaster Avenue Devon Chester County	Approved

#### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-31-2018	Somerset Trust Company Somerset Somerset County	3720 State Route 711 Ligonier Westmoreland County	Closed

### CREDIT UNIONS

No activity.

The Department's web site at [www.dobs.pa.gov](http://www.dobs.pa.gov) includes public notices for more recently filed applications.

ROBIN L. WIESSMANN,  
Secretary

[Pa.B. Doc. No. 19-145. Filed for public inspection February 1, 2019, 9:00 a.m.]



## DEPARTMENT OF EDUCATION

### Availability of the 21st Century Community Learning Centers 2019—2024 Request for Applications and 21st Century Community Learning Centers Cohort 10 Grant Paper Application and Instructions

The Department of Education (Department) announces the availability of the 21st Century Community Learning Centers (CCLC) 2019—2024 Request for Applications (RFA) and the 21st CCLC Cohort 10 Grant Paper Application and Instructions. The Department will have approximately \$23 million available for Cohort 10 grants.

#### *Program Purpose*

The purpose of the 21st CCLC program is to provide opportunities to establish or expand activities in community learning centers that:

1. Provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet the challenging State academic standards;

2. Offer students a broad array of additional services, programs, and activities.

Examples of student opportunities:

- Academic enrichment
- Tutorial services
- Youth development activities
- Service learning
- Nutrition and health education
- Drug and violence prevention programs
- Counseling programs
- Arts
- Music
- Physical fitness and wellness programs
- Technology education programs
- Financial literacy programs
- Environmental literacy programs
- Math
- Science
- Programs tied to in-demand occupations
- Career and technical programs
- Internship or apprenticeship programs
- Parental engagement
- Family literacy
- Family educational development

3. Offer families of students served by community learning centers opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.

#### *Prior to Grant Award*

All potential applicants must complete the following steps:

1. Notify the Department by e-mail of the applicant's intent to submit an application. Include the legal name of entity, and either the Administrative Unit Number (school districts/charter schools/intermediate units) or Employer

Identification Number (all other organizations) and vendor number for the lead organization. Specify in the letter of intent to apply the target population to be served including grade levels, proposed site locations, district and school names, community based organization partners, and the like. E-mail the letter of intent to N. Craig Scott at [nscot@pa.gov](mailto:nscot@pa.gov). The due date is February 8, 2019. Note this is due prior to the paper application submission deadline. No extensions will be granted.

2. If the agency is not a school district, charter school or intermediate unit, or never received a grant in prior cohorts, the agency will need to register for a vendor number. Nonprocurement entities can apply for a brand new vendor number using [www.vendorregistration.state.pa.us](http://www.vendorregistration.state.pa.us). Applicants must have a vendor number at the time they submit an application for funding to do business with the Commonwealth. Once applicants have a vendor number, applicants will provide the vendor number on the Title Page form and grant agreement document. Applicants who already have a vendor number to do business with the Commonwealth will use the previously received vendor number.

3. Include the data universal number system (DUNS) number. DUNS is a unique nine-digit identifier for businesses. In accordance with the Federal Fiscal Accountability Transparency Act (FFATA), all grant recipients must have a valid DUNS number and must also be registered with the System for Award Management (SAM), the successor to the Central Contractor Registration database. DUNS numbers are issued by Dun and Bradstreet and are available for free to all entities required to register under FFATA.

To obtain a DUNS number, go to <http://fedgov.dnb.com/webform/>. To register with the SAM database, go to [www.sam.gov](http://www.sam.gov).

Applicants are required to submit their DUNS number and expiration date of their SAM registration as part of the Electronic Web Enable Grant system application and must certify that they will ensure that their SAM registration will remain active for the entire grant period.

4. Consult with all eligible nonpublic entities located within the attendance area of the local education agency (LEA) regarding participation in the proposed 21st CCLC program. Complete and submit the Certification of Nonpublic Involvement Form located in the Appendix of the application. Provide eligible nonpublic entities adequate time before the application due date to receive and respond to the Certification of Nonpublic Involvement Form. The equitable participation and nonpublic involvement should be an ongoing process and applicants selected for funding will be required to retain documentation of all dates of verbal, written and oral communication. Charter schools need not complete this process.

5. Register to attend the preproposal webinar. The webinar will be on February 4, 2019, from 10 a.m. to 12 p.m. Register in advance for this meeting at <https://pau.zoom.us/j/973a641782d8351dc2040ba88984b7b>. After registering, individuals will receive a confirmation e-mail containing information about joining the meeting.

6. Review the Every Student Succeeds Act (ESSA) (Pub.L. No. 114-95) for changes that will impact the 21st CCLC program implementation effective July 1, 2017.

#### *Application Process*

The 2019—2024 21st CCLC application and all attachments are available online on the Department's 21st

CCLC web site at [www.education.pa.gov](http://www.education.pa.gov) (Keywords: 21st CCLC). Applications for the 2019—2024 Cohort 10 21st CCLC grant will be created, submitted, collected and completed by a paper application process. Applications received with all required documents by the 12 p.m. March 5, 2019, due date at the Division of Student Services will proceed to the peer review and will be rated on the criteria contained in this document and in the 2019—2024 Paper Application and Instructions document. The narrative format of the proposal must follow the same order as the application evaluation criteria in application. Applications that do not follow this required format order will not be reviewed and will be disqualified from the competitive process without exception. Applications missing any required attachments will be disqualified. All applicants are encouraged to follow the 2019—2024 RFA Guidelines.

Applicants are required to complete each section of the 21st CCLC paper application explained in the 21st Cohort 10 Grant Paper Application and Instructions for 2019—2024 document and submit the completed application to Maribel Martinez at the Department's Division of Student Services at the address listed as follows by 12 p.m. Tuesday, March 5, 2019. No sections of the paper application are optional. Faxed and e-mailed copies will not be accepted. Originals, paper copies and attachments received after the deadline will not be reviewed. Failure to submit the required number of application copies by the deadline or to include copies of all attachments and narrative sections will result in the disqualification of the grant application and denial to proceed to the peer review. Applicants must submit one original and four copies of the completed narrative application with attachments and required signatory documents to Maribel Martinez, Fiscal Management Specialist, Department of Education, Division of Student Services, 333 Market Street, 3rd Floor, Harrisburg, PA 17126-0333.

Applications may be hand delivered to the Department at the previous address, or sent by overnight mail or United States Mail. All applications must be postmarked as received by the Department no later than the 12 p.m. March 4, 2019, deadline in order to proceed to the peer review. Note that grant applications received through application overnight mail submission and or travel to the Department is not a reimbursable expense under any cohort.

#### *Preproposal Webinar*

The Department will conduct a preproposal webinar on February 4, 2019. It is strongly recommended that all applicants participate in the preproposal webinar, including prior grantees, the Department will provide information about the goals and priorities of the 21st CCLC, application procedures, evaluation criteria and technical assistance. Register in advance for this meeting at <https://pau.zoom.us/meeting/register/d973a641782d8351dc2040ba88984b7b>. After registering, individuals will receive a confirmation e-mail containing information about joining the meeting.

#### *Federal Funding Priorities*

As mandated by the ESSA, highest funding priority will be given to applications:

1. Proposing to target services to:
  - a. Students who primarily attend schools that:
    - i. Are implementing comprehensive support and improvement (CSI) activities or additional targeted support and improvement (ATSI) activities under section 1111(d) or other schools determined by the LEA to be in need of

intervention and support to improve student academic achievement and other outcomes; and

- ii. Enroll students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models; and

- b. The families of students described in clause (i).

2. Submitted jointly by eligible entities consisting of not less than:

- a. One LEA receiving funds under part A of Title I; and

- b. Another eligible entity; and

3. Demonstrating that the activities proposed in the application

- a. Are, as of the date of the submission of the application, not accessible to students who would be served; or

- b. Would expand accessibility to high-quality services that may be available in the community.

- i. *Special Rule*—The State educational agency (SEA) shall provide the same priority under paragraph (1) to an application submitted by LEA if the LEA demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality to meet the requirements of this part.

- ii. *Limitation*—An SEA may not give a priority or a preference to eligible entities that seek to use funds made available under this part to extend the regular school day.

- iii. *Renewability of Awards*—An SEA may renew a subgrant provided under this part to an eligible entity, based on the eligible entity's performance during the preceding subgrant period.

In determining whether an application has been "submitted jointly," the Department will look for evidence of:

1. Collaboration in the planning and design of the program;

2. Substantial roles for each partner in the delivery of services and management and oversight of the program;

3. Shared grant resources to carry out roles;

4. One partner serving as the fiscal agent; and

5. Integration with the regular school day program.

Only one contract will be issued for each application selected for funding, even for joint proposals. Communities or organizations may apply together to share resources, so long as statutory requirements are met. The Department has determined that for the purpose of the 21st CCLC grant, the following constitute an eligible consortium: two or more individual companies, community-based organizations, service related organizations, or educational entities that partner together to benefit the students at the educational site locations targeted for program implementation for the purpose of the grant and who actively contribute to and collaborate on the 21st CCLC-funded project.

Only one partner will be named as the grantee if selected for funding and will have the fiduciary and fiscal responsibilities for the grant. Consequently, every joint application must identify only one organization to be designated as the grantee and the fiscal agent on behalf of all members of the consortium. That entity will have fiscal and contractual responsibility for carrying out the proposed grant program. The Department strongly encourages joint collaborators to identify a grantee that has expertise in managing the fiscal and contractual obliga-



tions required by 21st CCLC. Members seeking payment for services will be considered providers rather than partners.

Letters of endorsement are not by themselves sufficient evidence that organizations or school districts have substantially been involved in the design of a program. Letters of support of applications received will not be reviewed as part of the peer review process. Refrain from submitting letters of support.

#### *The Commonwealth's Funding Requirements and Priorities*

For the purposes of this application the Commonwealth's highest funding priority will be given to qualified applicants proposing to provide before school, afterschool, summer, and holiday services to academically struggling students attending schools designated for CSI or ATSI. All applicants must meet this Commonwealth requirement to receive highest funding priority consideration.

The following defines CSI and ATSI schools:

**CSI schools:** Schools designated under the Commonwealth's ESSA accountability indicators for comprehensive support and improvement. States are required to identify the bottom 5% of Title I schools for CSI.

**ATSI schools:** Schools designated under the Commonwealth's ESSA accountability indicators for additional targeted support and improvement based upon performance of student subgroups.

To identify CSI and ATSI school eligibility, go to <https://education.pa.gov/> (Keywords CSI or ATSI schools).

#### *Target Population Focus*

The Department will consider target populations that propose to serve students who attend a school site that is eligible for designation as a Title I schoolwide program. To be eligible for this designation at least 40% or more of the students must qualify to receive free or reduced-price meals through the National School Lunch Program.

#### *Requirements and Eligibility*

Eligible entities include but are not limited to: LEAs, private schools, nonprofit agencies, city or county government agencies, faith-based organizations, institutions of higher education, Indian tribes or tribal organizations, and for-profit corporations.

Non-LEA applicants must provide documentation that they have the full support of the LEA to which services are targeted. Likewise, LEA applicants must clearly demonstrate cross-collaboration with relevant school and community groups, agencies and entities. This cross-collaboration should occur through every stage of the 21st CCLC program development, including proposal creation, program implementation and process, and outcome evaluation.

A local applicant or organization does not have to demonstrate prior afterschool programming experience to be eligible to apply for a grant; however, an organization must demonstrate promise of success in providing educational and related activities that will enhance the academic performance, achievement and positive youth development of the students. Such applicants must, however, describe the likelihood of successful implementation and capability to provide activities and services outlined in the proposal.

The Federal legislation contains several provisions about the importance of collaboration in section 4204(b)(2)(H) of Title IV, Part B. The Commonwealth

requires districts applying for local grants to provide a description of the partnership between a local educational agency, a community-based organization and other public or private organizations, if appropriate.

If the local applicant is another public or private organization, it must provide an assurance that its program was developed and will be carried out in active collaboration with the schools the students attend. In addition, section 4204(i)(1)(B) of Title IV, Part B of the ESSA requires that the Commonwealth give priority to applications submitted jointly by an LEA receiving Title I funds and a community-based organization or other agency proposing to serve students in schools in need of improvement under section 1116 of the ESSA.

In addition to the focus areas highlighted in the Funding Guidelines and Priorities, the Commonwealth has the following priorities:

1. **Literacy and Mathematics:** Preference for funding will be given to qualified applicants with demonstrated prior experience and success in providing services to elementary students in grades 2–5 who propose offering programs that increase literacy or math skills, or both, through a blended approach using researched-based curriculums and materials. Applicants could be eligible for up to 10 extra priority points based on the quality of their proposal.

2. **Drug and Alcohol Prevention:** Preference for funding will be given to qualified applicants with demonstrated prior experience and success in providing services to students in grades 2–12 who propose offering programs that provide innovative and varied instructional approaches that will be used to incorporate drug and alcohol prevention programming that will add to the academic enrichment activities, provide for additional classroom materials and other resources. Applicants could be eligible for up to 10 extra priority points based on the quality of their proposal.

3. **STEM:** Preference for funding will be given to qualified applicants with demonstrated prior experience and success in providing services to students in grades 2–12 who propose offering programs that build skills in science, technology, engineering and mathematics, including computer science, and that foster innovation in learning by supporting nontraditional STEM education teaching methods. Applicants could be eligible for up to 10 extra priority points based on the quality of their proposal.

4. **Workforce/Career Readiness/College Readiness:** Preference for funding will be given to qualified applicants with demonstrated prior experience and success in providing services to middle and high school students in grades 6–12 that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 (Pub.L. No. 109-270) and the Workforce Innovation and Opportunity Act (29 U.S.C.A. §§ 3101–3361), assist students in preparing for meaningful engagement in preparing for post-secondary education, workforce training, career pathways and increase college and career readiness. Grant funds cannot be used to pay for job shadowing or internships for students and must occur in an out-of-school time setting. Certification towards apprenticeship can be covered only if the certification is not part of the regular course of school programming as this would be supplanting. Any

entity that wishes to use grant funds towards certification must submit a detailed description of the program and certification to the Department for prior approval.

Applicants must document evidence of expanding career connections for students while promoting career-technical and college routes. Career and college readiness programming must offer the following: alignment with realistic college attendance aspirations; academic planning for college and career readiness; academic enrichment opportunities to improve grades and college or technical school eligibility; offer assistance in paper and online applications; helping students to prepare for careers and technical school or college; provide structured homework help, college counseling services and afterschool and summer learning programs; and provide engaging learning opportunities for youth by connecting learning to careers, college and other future plans. Applicants could be eligible for up to 10 extra priority points based on the quality of their proposal.

**5. Transitional Vocational/Technical Services Planning:** Preference for funding will be given to qualified applicants who have demonstrated prior experience and success in providing transitional planning services to middle/high school students in grades 6–12. Transitional services planning will involve sustainable processes and exploring means to identify student's talents and interests. Through these services students will be assisted in identifying post-secondary careers, career acquisition, career retention/advancement and entrepreneurial development.

Applicants who provide these additional resources will be reinforcing, through interaction with local business and industry partners, the importance of specific career clusters and vocational/technical skills that are achieved when pursuing career and technical education. Applicants could be eligible for up to 10 extra priority points based on the quality of their proposal.

**6. High School Credit Recovery:** Preference for funding will be given to qualified applicants offering credit recovery to high school students in grades 9–12 through a blended approach. An applicant may propose to use 21st CCLC program funds for a before or afterschool program or activity for which participants may receive credit toward high school graduation requirements if: (1) such a program or activity is an expansion of the options for receiving high school credit in a particular area that would not have been provided without the 21st CCLC program; and (2) the program or activity does not replace or reduce the courses and programs normally provided by a local school district or private school (for example, there is no reduction in the course offerings or costs in that particular academic area). Drop-in programs are unallowable, credit recovery students must attend the program for all portions of the program, and credit recovery must include a blended approach of face-to-face instructor-led components and online programming. The online component cannot be 100% of the teaching methodology. Applicants could be eligible for up to 5 extra priority points based on the quality of their proposal.

The entity or district is responsible for recording the credit. The application must include a letter of agreement between the LEA and the grantee clarifying the responsibility of recording the credits.

**7. Community Poverty Levels:** Preference for funding will be given to qualified applicants who reside in communities where poverty percentages are above the state average poverty percentage rate of 16.81%. Census

poverty data information can be found through the Department's link at <https://www.education.pa.gov/Teachers%20-%20Administrators/Federal%20Programs/Pages/Federal%20Programs.aspx>. Applicants could be eligible for up to 15 extra priority points.

#### *Period of Availability*

The grant period will range from July 1, 2019, to June 30, 2024.

The total grant period is 5 years, which is anticipated to begin July 1, 2019, and to end June 30, 2024, subject to availability of funds from the United States Department of Education and satisfactory performance of the grantee in the previous year. Following the initial award, subsequent award years will be contingent upon: (1) availability of funding from the specific funding authority; (2) satisfactory performance by the grantee as evaluated by the Department; and (3) compliance with all grant requirements and meeting all conditions set forth within the 21st CCLC 2019–2024 RFA and Guidance and the 21st Cohort 10 Grant Paper Application and Instructions for 2019–2024 for which funding was provided.

Any public or private organization that meets the eligibility requirements can apply for the 21st CCLC funding. This includes public school districts, charter schools, private schools, nonprofit agencies, city or county government agencies, faith-based organizations, institutions of higher education, Indian tribes or tribal organizations and for-profit corporations.

All applicants must target students in the lowest 5% to 10% of Title I schools or those identified by the Department as low-performing schools. To be eligible for this grant, at least 85% of the students an applicant is proposing to serve must be in:

1. Grades in schools not currently served by the 21st CCLC;
2. Attend schools implementing CSI activities or ATSI activities under section 1111(d) of the ESSA or other schools determined by the LEA to be in need of intervention and support to improve student academic achievement and other outcomes;
3. Schools servicing students who may be at risk for academic failure, dropping out, involvement in criminal or delinquent activities, or who lack strong positive role models;
4. Other schools determined by the LEA to be in need of intervention and support;
5. Schools that offer family services;
6. LEAs proposing to serve students that are eligible for schoolwide programs: under Title I, section 1114 of the ESSA and the families of these students (for the purposes of this RFA, "local educational agencies" are defined as public schools and districts, private schools and charter school); and
7. Schools where students are a recipient of a school intervention grant. A complete list of eligible schools, as of June 19, 2018, can be located at <https://www.education.pa.gov/Teachers%20-%20Administrators/Federal%20Programs/Pages/2018-2019-School-Buildings.aspx>.

All programs must be implemented through a partnership that includes at least one LEA receiving funds under Part A of Title I of the ESSA and at least one nonprofit agency, city or county government agency, faith-based organization, institution of higher education, Indian tribe or tribal organization, or for-profit corporation with a demonstrated record of success in designing and imple-

menting before school, afterschool, summer learning or expanded learning time activities.

*Application Information*

Detailed information outlining grant terms, conditions and additional program requirements, program eligibility, pertinent regulations including expenditure guidelines, evaluation and program accountability requirements, and additional resources are contained in the complete 21st CCLCs Grant RFA and Guidance for Fiscal Years 2019—2024 and in the 21st CCLCs Cohort 10 Grant Paper Application and Instructions for 2019—2024 which can be accessed by:

- Visiting the Department’s web site at [www.education.pa.gov](http://www.education.pa.gov) (Keywords: 21st CCLC).
- E-mail additional questions to [RA-21stCCLC@pa.gov](mailto:RA-21stCCLC@pa.gov).

*Due Process for Unsuccessful Applicants*

Under 34 CFR 76.401 (relating to disapproval of an application—opportunity for a hearing), the Department must provide an opportunity for a hearing if the applicant alleges that the “[d] approval or failure to approve the application or project” violates a Federal statute or regulation.

- Applicants not selected for funding may submit a request on agency letterhead to the Department within 4 weeks of award notification requesting information on the ranking and scoring of their application to [nscot@pa.gov](mailto:nscot@pa.gov). Include the name of the applicant agency in the request.

- Applicants have 30 days from the time they are informed of their right to a hearing to request such a hearing.

- The Department will conduct that hearing within 30 days of the request for a hearing. The Department will issue a final written ruling within 10 days from the date of the hearing, including findings and reasons for the final ruling.

- If the Department does not rescind its ruling, the applicant may apply to the Secretary of the United States Department of Education within 20 days of the applicant receiving a written notification of the results of the hearing.

- The Department will make available records pertaining to the review or appeal process, including the records of other applicants.

For additional program information contact the Department of Education, N. Craig Scot, 21st CCLC Program Supervisor, 333 Market Street, 3rd Floor, Harrisburg, PA 17126-0333, (717) 346-3251, fax (717) 783-4392, [nscot@pa.gov](mailto:nscot@pa.gov).

PEDRO A. RIVERA,  
*Secretary*

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**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 &amp; Address</i>	<i>County &amp; 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
PA0034029 (Sewage)	LCA Sand Spring WWTP 4050 Sand Spring Road Schnecksville, PA 18078	Lehigh County North Whitehall Township	UNT to Coplay Creek (2-C)	Yes
PAS602208 (Stormwater)	H. Blinderman & Son, Inc. P.O. Box 908 Allentown, PA 18105	Northampton County Hellertown Borough	Saucon Creek (02C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0228508 (Sewage)	Huston Township Julian WWTP P.O. Box 40 Julian, PA 16844-0040	Centre County Huston Township	Bald Eagle Creek (9-C)	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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0254738 (Storm Water)	Toma Metals Inc. 740 Cooper Avenue Johnstown, PA 15906-1033	Cambria County West Taylor Township	Wildcat Run and Laurel Run (18-D)	Yes
PA0219185 (Sewage)	Glen Campbell Borough P.O. Box 43 Glen Campbell, PA 15708	Indiana County Glen Campbell Borough	Brady Run (8-B)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0210625 (Industrial)	Danzer Lumber North America Bradford Facility 1011 Centre Road Wilmington, DE 19805	McKean County Bradford City	Rutherford Run and the East Branch Tunungwant Creek (16-C)	Yes
PA0239674 (Sewage)	Coopers Lake Campground 205 Currie Road Slippery Rock, PA 16057	Butler County Worth Township	Muddy Creek (20-C)	Yes
PA0222429 (Sewage)	Pilot Travel Center 081 5508 Lonas Drive Knoxville, TN 37909-3221	Butler County Muddycreek Township	Muddy Creek (20-C)	Yes



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

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

**PA0027987**, Sewage, SIC Code 5541, **HMS Host**, P.O. Box 8, Middletown, PA 17057-0008. Facility Name: Peter J. Camiel Service Plaza. This existing facility is located in MP 304.8 Westbound Pennsylvania Turnpike, in Wallace Township, **Chester County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .05 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	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	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	8.3	XXX	XXX	20.0	XXX	40
May 1 - Oct 31	4.2	XXX	XXX	10.0	XXX	20
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	8.3	XXX	XXX	20.0	XXX	40
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	3.7	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	1.3	XXX	XXX	3.0	XXX	6
Total Phosphorus						
Nov 1 - Apr 30	0.83	XXX	XXX	2.0	XXX	4
May 1 - Oct 31	0.42	XXX	XXX	1.0	XXX	2

Sludge use and disposal description and location(s): Pottstown WWTP (PA0026786)—Other Processing Facility, Delcora (PA0027103)—Landfill.

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

- I. Other Requirements
  - A. No Stormwater
  - B. Acquire Necessary Property Rights
  - C. Sludge Disposal Requirements
  - D. Phase Out When Municipal Sewers Available
  - E. Total Residual Chlorine Requirement
  - F. Discharge to Small Stream
  - G. Notification of Designation of Operator
  - H. Remedial Measures if Unsatisfactory Effluent
  - I. Twice per Month Sampling

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

The EPA Waiver is not in effect.

**PA0245071**, Sewage, SIC Code 8811, **Radosky Dean**, 4431 Axe Handle Road, Quakertown, PA 18951. Facility Name: Dean M Radosky SRSTP. This proposed facility is located in East Rockhill Township, **Bucks 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 Tohickon Creek, is located in State Water Plan watershed 2-D and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0004 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 Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

The EPA Waiver is in effect.

**PA0052744**, Sewage, SIC Code 4952, **Concordville Hotel Inc.**, 780 Baltimore Pike, Concordville, PA 19331-0607. Facility Name: Concordville Hotel STP. This existing facility is located in Concord Township, **Delaware County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .025 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	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.13	XXX	0.3
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	5.2	XXX	XXX	25	XXX	50
May 1 - Oct 31	4.2	XXX	XXX	20	XXX	40
Total Suspended Solids	6.3	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
May 1—Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1—Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	1.9	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	0.6	XXX	XXX	3.0	XXX	6
Total Phosphorus						
Nov 1 - Apr 30	0.42	XXX	XXX	2.0	XXX	4
May 1 - Oct 31	0.21	XXX	XXX	1.0	XXX	2

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

1. No stormwater to sanitary sewers
2. Necessary property rights
3. Proper sludge disposal
4. Abandon STP when public sewers become available
5. Chlorine minimization
6. Small stream discharge

- 7. Notification of designation of responsible operator
- 8. Fecal coliform reporting
- 9. Operations and maintenance plan

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.

**PA0036200**, Sewage, SIC Code 6514, **Radley Run Mews Sewer Association**, P.O. Box 84, Pocopson, PA 19366-0084. Facility Name: Radley Run Mews STP. This existing facility is located in Birmingham Township, **Chester County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .032 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			3.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.6	XXX	1.5
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	6.7	XXX	XXX	25	XXX	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	8.0	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Total Nitrogen	8.0	XXX	XXX	30	XXX	60
Ammonia-Nitrogen	1.33	XXX	XXX	5	XXX	10
Total Phosphorus	0.53	XXX	XXX	2.0	XXX	4

Sludge use and disposal description and location(s): Goose Creek WWTP (PA0027031)—Other treatment plant, Delcora (PA0027103)—Landfill.

In addition, the permit contains the following major special conditions: Proposed Part C Conditions:

- I. Other Requirements
  - A. No Stormwater to Sewer
  - B. Necessary Property Rights
  - C. Proper Sludge Disposal
  - D. Abandon STP when Public Sewer Become Available
  - E. Chlorine Minimization
  - F. Notification of the Designation of Responsible Operator
  - G. Small Stream Discharge
  - H. Remedial Measures if Public Nuisance
  - I. Twice per Month Sampling

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

The EPA Waiver is not in effect.

**PA0245089**, Sewage, SIC Code 8811, **Matthew & Barbara Delaney**, 1405 Wexford Circle, West Chester, PA 19380-5815. Facility Name: Delaney SRSTP. This proposed facility is located in East Goshen Township, **Chester County**.

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	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): Operation and Maintenance Agreement with East Goshen Township.

In addition, the permit contains the following major special conditions: Proposed Part C Conditions:

I. Other Requirements

- A. AMR to DEP
- B. DMR to DEP if Attached
- C. 1/year Measure Depth of Septage and Scum
- D. Septic Tanks Pumped Out Every Three Years
- E. No Stormwater
- F. Necessary Property Rights
- G. Proper Sludge Disposal
- H. Abandon STP when Municipal Sewers Available

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

The EPA Waiver is in effect.

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

**PA0266809**, Sewage, SIC Code 8811, **Whitmer Curtis E**, 45 Idle Road, Marysville, PA 17053. Facility Name: C & C Whitmer Enterprises. This proposed facility is located in Rye Township, **Perry County**.

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

The receiving stream(s), Fishing Run, 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 .0009 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	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
				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.

**PA0088609**, Sewage, SIC Code 4952, **Broad Top Township Bedford County**, P.O. Box 57, Defiance, PA 16633-0057. Facility Name: Six Mile Run STP. This existing facility is located in Broad Top 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), Sixmile Run, is located in State Water Plan watershed 11-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 .0833 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0833 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	17	27	XXX	25	40	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Fecal Coliform (No./100 ml)	20	31	XXX	30	45	60
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (µw/cm <sup>2</sup> )	XXX	XXX	Report	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.

**PA0040541**, Sewage, SIC Code 8211, **Boyertown Area School District**, 911 Montgomery Avenue, Boyertown, PA 19512-9699. Facility Name: Earl Township Elementary School. This existing facility is located in Earl Township, **Berks County**.

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

The receiving stream(s), Unnamed Tributary to Oysterville Creek, is located in State Water Plan watershed 3-D 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 .0049 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>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	5.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Ammonia-Nitrogen	XXX	XXX	XXX	20	XXX	40

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.

**PA0020648**, Sewage, SIC Code 4952, **Port Royal Borough Municipal Authority Juniata County**, 804 W 8th Street, Port Royal, PA 17082-9400. Facility Name: Port Royal STP. This existing facility is located in Port Royal Borough, **Juniata 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), Juniata River, is located in State Water Plan watershed 12-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .2 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	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	42.0	67.0	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
		Daily Max				
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	50.0	75.0	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	Geo Mean	XXX	1,000
				200		
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Ammonia-Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					

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

Parameters	Mass Units (lbs/day)		Monthly	Concentrations (mg/L)		
	Monthly	Annual		Monthly Average	Maximum	Instant. Maximum
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX

Sludge use and disposal description and location(s): Solids are treated in anaerobic digesters and then disposed at another STP.

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.

**PA0052400**, Sewage, SIC Code 4952, **Irish Creek Village**, 552 Irish Creek Road, Mohrsville, PA 19541-9333. Facility Name: Irish Creek Village MHP. This existing facility is located in Centre Township, **Berks County**.

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

The receiving stream(s), Unnamed Tributary to Irish Creek, is located in State Water Plan watershed 3-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 .009 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .009 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 InstMin	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 InstMin	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	Report	Report	XXX	25.0	40.0	50.0
Total Suspended Solids	Report	Report	XXX	30.0	45.0	60.0
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
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	Report	XXX	XXX	20.0	XXX	40.0
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	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.

**PA0087173**, Sewage, SIC Code 8661, **High Point Baptist Chapel**, P.O. Box 188, Geigertown, PA 19523-0188. Facility Name: High Point Baptist WWTP. This existing facility is located in Robeson Township, **Berks County**.

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

The receiving stream(s), Hay Creek, is located in State Water Plan watershed 3-C and is classified for High Quality—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 .0265 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Daily 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	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	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
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	20.0	XXX	40

The proposed effluent limits for Outfall 001 are based on a design flow of .0265 MGD.—Limits.

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

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

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

The EPA Waiver is in effect.

**PA0028649**, Sewage, SIC Code 4952, **Borough of Sinking Spring**, 3940 Penn Avenue, Sinking Spring, PA 19608-1168. Facility Name: Sinking Spring WWTP. This existing facility is located in Spring Township, **Berks County**.

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

The receiving stream(s), Cacoosing Creek, is located in State Water Plan watershed 3-C and is classified for cold water 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 1.25 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0 Daily Max	XXX
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.13	XXX	0.43



<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>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	260	417	XXX	25.0	40.0	50
Total Suspended Solids	312	469	XXX	30.0	45.0	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	78	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	26	XXX	XXX	2.5	XXX	5
Total Phosphorus	16.7	XXX	XXX	1.6	XXX	3.2
Dibromochloromethane	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Tetrachloroethylene	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 MGD.—Final 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	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	DailyMin 5.0	XXX	Daily Max XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.13	XXX	0.43
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	260	417	XXX	25.0	40.0	50
Total Suspended Solids	312	469	XXX	30.0	45.0	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	78	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	26	XXX	XXX	2.5	XXX	5
Total Phosphorus	16.7	XXX	XXX	1.6	XXX	3.2
Dibromochloromethane	Report	Report	XXX	Report	Report	XXX
		Daily Max			Daily Max	
Tetrachloroethylene	0.04	0.07	XXX	0.004	0.007	XXX
		Daily Max			Daily Max	

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.25 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Total Dissolved Solids	XXX	XXX	XXX	XXX	1,000.0 Daily Max	XXX

Sludge use and disposal description and location(s): Sludge is treated and then applied to the on-site reed drying beds. Solids generated from this facility will be land applied under NPDES Permit No. PAG083567.

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

1. Toxic Reduction Evaluation
2. Stormwater Requirements

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

The EPA Waiver is not in effect.

**PA0041491**, Sewage, SIC Code 6515, **Berks Properties Inc.**, 3613 Seisholtzville Road, Hereford, PA 18056-1542. Facility Name: Mountain Village MHP. This existing facility is located in Longswamp Township, **Berks County**. Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Unnamed Tributary to Perkiomen Creek, is located in State Water Plan watershed 3-E and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .064 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min 5.0	XXX	Daily Max XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	Daily Min XXX	10.0	XXX	20
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	XXX
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
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	0.27	XXX	XXX	0.5	XXX	1

The proposed effluent limits for Outfall 001 are based on a design flow of .035 MGD.—Limits.

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

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

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

The EPA Waiver is in effect.

**PA0023540**, Sewage, SIC Code 4952, **Berks Montgomery Municipal Authority**, 136 Municipal Drive, Gilbertsville, PA 19525-9463. Facility Name: Berks Montgomery Morysville STP. This existing facility is located in Colebrookdale Township, **Berks County**.

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

The receiving stream(s), Ironstone Creek, is located in State Water Plan watershed 3-D and is classified for Trout Stocking, aquatic life, water supply and recreation. In addition, the receiving stream has an existing use of Cold Water Fishes. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .32 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	66.7	106.7	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	80.1	120.1	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000.0 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200.0 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	20.0	XXX	XXX	7.5	XXX	15
May 1 - Oct 31	6.67	XXX	XXX	2.5	XXX	5
Copper, Total	0.035	XXX	XXX	0.013	0.02	0.026
Total Dissolved Solids	Report	XXX	XXX	1,000.0	XXX	2,500
	Avg Qrtly			Avg Qrtly		
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		

Sludge use and disposal description and location(s): another Publicly Owned Treatment Works with an NPDES permit.

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

1. Advance notification to DEP if chlorine is ever used, daily discharge monitoring for Total Residual Chlorine (TRC) used on occasional basis and not for disinfection purposes, and reporting TRC monitoring results to DEP.
2. Proper sludge management as well as reporting to DEP amounts of sludge produced and sludge wasted.

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.

**PA0051641**, Sewage, SIC Code 4952, **PA Historical & Museum Commission/Daniel Boone Homestead**, 400 Daniel Boone Road, Birdsboro, PA 19508-8735. Facility Name: Daniel Boone Homestead. This existing facility is located in Exeter Township, **Berks County**.

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

The receiving stream(s), Owatin Creek, is located in State Water Plan watershed 3-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 .008 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>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX		XXX
pH (S.U.)	XXX	XXX	6.0	XXX		9.0
Dissolved Oxygen	XXX	XXX	InstMin 5.0	XXX		XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5		1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0		50

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Average Monthly	
Total Suspended Solids	XXX	XXX	XXX	30.0		60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000.0		10,000
May 1 - Sep 30	XXX	XXX	XXX	200.0		1,000
Ammonia-Nitrogen	XXX	XXX	XXX	20.0		40
Total Nitrogen	XXX	XXX	XXX	Report		XXX
Total Phosphorus	XXX	XXX	XXX	Avg Qrtly Report		XXX
				Avg Qrtly		

Sludge use and disposal description and location(s): off-site to approved POTW.

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.

**PA0085782**, Sewage, SIC Code 4952, **Ruscombmanor Township Berks County**, 204 Oak Lane, Fleetwood, PA 19522-8942. Facility Name: Golden Oaks WWTP. This existing facility is located in Ruscombmanor Township, **Berks County**.

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

The receiving stream(s), UNT of Furnace Creek, is located in State Water Plan watershed 3-D 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 .05 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.07	XXX	0.23
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	10.4	XXX	XXX	25.0	XXX	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	12.5	XXX	XXX	30.0	XXX	60
Total Dissolved Solids	Report	XXX	XXX	1,000.0	XXX	2,000
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Total Nitrogen	Report	XXX	XXX	Geo Mean Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	3.0	XXX	XXX	7.2	XXX	14.4
May 1 - Oct 31	1.0	XXX	XXX	2.4	XXX	4.8
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

Sludge use and disposal description and location(s): off-site disposal, to another POTW.

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

1. Sludge production and disposal must be reported yearly to DEP

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.

**PA0041505**, Sewage, SIC Code 6515, **Berks Properties Inc.**, 3613 Seisholtzville Road, Hereford, PA 18056-1542. Facility Name: Hereford Estates MHP. This existing facility is located in Hereford Township, **Berks County**.

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



The receiving stream(s), Perkiomen Creek, is located in State Water Plan watershed 3-E and is classified for Trout Stocking, aquatic life, water supply and recreation. Immediately upstream of the discharge, the Creek is classified as Class A Trout and HQ-CWF. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		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	1.5
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	31.3	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000.0	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200.0	XXX	1,000.0
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	20.0	XXX	40
May 1 - Oct 31	XXX	XXX	XXX	14.0	XXX	28
Total Phosphorus	0.52	XXX	XXX	0.5	XXX	1
Total Nitrogen	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

Sludge use and disposal: haul to permitted POTW.

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

1. Reporting to DEP of sludge generation and disposal

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

The EPA Waiver is not in effect.

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

**PA0044661**, Sewage, SIC Code 4952, **Lewisburg Area Joint Sewer Authority Union County**, P.O. Box 305, Lewisburg, PA 17837-0305. Facility Name: Lewisburg Area Joint Authority Sewer Authority STP. This existing facility is located in East Buffalo Township, **Union 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), West Branch Susquehanna River, is located in State Water Plan watershed 10-D 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 2.42 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 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	505	807	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	605	908	XXX	30.0	45.0	60
Total Suspended Solids						

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Effluent Net	Total Mo					
	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Total Mo					
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report	Report	XXX	Report	XXX	XXX
	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo					
	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Total Mo					
Total Phosphorus (Total Load, lbs) (lbs)	XXX	XXX	XXX	Report	XXX	XXX
Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
3,3-Dichlorobenzidine	XXX	XXX	XXX	Report	Report Daily Max	XXX

Sludge use and disposal description and location(s): The facility land applies its non-exceptional value biosolids at the Erdrely Farm in East Buffalo Township, Union County and Fairchild Farm in Delaware Township, Northumberland County.

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

1. Chesapeake Bay Nutrient Requirements

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

The EPA Waiver is not in effect.

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

**PA0271837**, Sewage, SIC Code 8800, **Glenn Collins**, 154 Mountain Vista Drive, Rutherfordton, NC 28139-8400. Facility Name: Glenn Collins SRSTP. This proposed facility is located in Oil Creek Township, **Crawford 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 Porky Run, is located in State Water Plan watershed 16-E and is classified for Exceptional Value Waters, 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	XXX	XXX	XXX	XXX	XXX
	Annl Avg					
pH (S.U.)	XXX	XXX	6.0	XXX	Report	XXX
			Daily Min		Daily Max	
Biochemical Oxygen Demand (BOD <sub>5</sub> )	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.

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

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

**WQM Permit No. 2318404**, Sewage, **Knight's Bridge Corporation**, 112 Chelsey Drive, Suite 200, Media, PA 19063.

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

Description of Action/Activity: A new Membrane Bioreactor (MBR) wastewater treatment plant.

**WQM Permit No. 0999403**, Sewage, Renewal, **Council Rock School District**, 301 Twining Ford Road, Richboro, PA 18954.

This proposed facility is located Wrightstown Township, **Bucks County**.

Description of Action/Activity: Permit Renewal for Spray Irrigation System.

**WQM Permit No. WQG02461816**, Sewage, **Franconia Sewer Authority**, 671 Allentown Road, Telford, PA 18969-2205.

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

Description of Action/Activity: Extending the public sewer system via a low pressure sanitary sewer system.

**WQM Permit No. WQG02231815**, Sewage, **WV-PP Towne Center LP**, 940 Sproul Road, Springfield, PA 19064.

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

Description of Action/Activity: Construction and operation of a temporary grinder lift pump station.

**WQM Permit No. 0918404**, Sewage, **Bristol Borough Water & Sewer Authority**, 250 Pond Street, Bristol, PA 19007.

This proposed facility is located in Bristol Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a gravity sewer main pump station and force main along Route 13 between Beaver Dam Road and Green Lane.

**WQM Permit No. 1518409**, Sewage, **Borough of Spring City**, 6 S. Church Street, Spring City, PA 19475.

This proposed facility is located in Spring City Borough, **Chester County**.

Description of Action/Activity: Construction and operation of a sewage treatment plant.

**WQM Permit No. WQG02151817**, Sewage, **Oxford Area Sewer Authority**, 14 South Third Street, Oxford, PA 19363-1601.

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

Description of Action/Activity: An extension of a low pressure sewage system for 14 single family residential lots.

**WQM Permit No. 4693430**, Sewage, Amendment, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

Description of Action/Activity: Re-rate of the plant's organic capacity from 2,600 lb/d to 2,903 lb/d.

**WQM Permit No. 4618413**, Sewage, **Upper Gwynedd Township**, P.O. Box 1, West Point, PA 19486.

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

Description of Action/Activity: Construction of a 1.5 mgd pump station, a 6.0 mgd pump station & force mains to divert wastewater from Towamencin Municipal Auth WWTP to the Upper Gwynedd Twp WWTP.

**WQM Permit No. 4618414**, Sewage, **Hatfield Township Municipal Authority**, 3200 Advance Lane, Colmar, PA 18915.

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

Description of Action/Activity: Replacement & upgrades of approximately 1,800 ft. linear of existing sanitary sewer interceptor and associated manholes and laterals.

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

**WQM Permit No. 0619401**, Sewerage, **Spring Township**, 2850 Windmill Road, Sinking Spring, PA 19608.

This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Seeking permit approval for the development of ten (10) apartment buildings that will consist of a total of 210 apartment unit at the Reserve at Grings Mill. Within the apartment complex there will be a community center and pool. The existing dwelling is to remain on site. The wastewater will flow by combination of low pressure sewers and gravity to a proposed on-site pump station that will convey the wastewater to the existing Spring Ridge Pump Station.

**WQM Permit No. 0618405**, Sewerage, **Jonathan G. Wickstrom**, 14 Petsch Road, Reading, PA 19606.

This proposed facility is located in Alsace Township, **Berks County**.

Description of Proposed Action/Activity: Seeking permit approval for construction/operation of a single residence sewage treatment system to serve their single family residence.

**WQM Permit No. 0719401**, Sewerage, **Patty L. Leamer**, 179 Atlas Drive, Hollidaysburg, PA 16648.

This proposed facility is located in Frankstown Township, **Blair County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a single residence sewage treatment plant to serve their single family residence.

**WQM Permit No. 3618402**, Sewerage, **Glenda P. Perry**, 218 Snyder Hollow Road, New Providence, PA 17560.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a single residence sewage treatment system to serve their single family residence.

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

**WQM Permit No. 6319401**, Sewage, **Peters Township Sanitary Authority**, 111 Bell Drive, McMurray, PA 15317-3415.

This proposed facility is located in Peters Township, **Washington County**.

Description of Proposed Action/Activity: The applicant proposes to install approximately 3,000 LF of 12-inch gravity sewer lines, which will change pipe size and alignment of the existing Stonehenge Interceptor Sewer in the Brush Run Sewer System.

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

**WQM Permit No. 2519401**, Sewage, **Shane L Kosterman**, 10545 Plum Road, Wattsburg, PA 16442-9317.

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

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

**WQM Permit No. 6219404**, Sewage, **Jerry Park**, 10518 Scandia Road, Russell, PA 16345.

This proposed facility is located in Elk Township, **Warren County**.

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

**WQM Permit No. 2519402**, Sewage, **Nora Kreider**, 11396 Sharp Road, Waterford, PA 16441.

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

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

**WQM Permit No. 2519403**, Sewage, **Dennis L Fisher Sr**, 8265 Station Road, Erie, PA 16510.

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

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

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

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

**PAI130540**, MS4, **Trumbauersville Borough Bucks County**, 1 Evergreen Drive Drawer 100, Trumbauersville, PA 18970. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Trumbauersville Borough, **Bucks County**. The receiving stream(s), Unnamed Tributary to Unami Creek, is located in State Water Plan watershed 3-E 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 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.

**PAI130049**, MS4, **Upper Gwynedd Township Montgomery County**, P.O. Box 1, West Point, PA 19486. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Upper Gwynedd Township, **Montgomery County**. The receiving stream(s), Zacharias Creek, Unnamed Tributary to Zacharias Creek, Unnamed Tributary to Towamencin Creek, Towamencin Creek, and Wissahickon Creek, is located in State Water Plan watershed 3-F and 3-E and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.



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

- A Total Maximum Daily Load (TMDL) Plan

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

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

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

**PAI134807, MS4, The Pennsylvania State University**, 139J Physical Plant Building, University Park, PA 16802. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in State College Borough, **Centre County**. The receiving stream(s), Unnamed Tributary of Slab Cabin Run (Thompson Run), is located in State Water Plan watershed 9-C and is classified for High Quality—Cold Water, Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan 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 570-327-3693.

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

**PAI134804, MS4, State College Borough**, 243 S Allen Street, State College, PA 16801-4806. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in State College Borough, **Centre County**. The receiving stream(s), Unnamed Tributary of Slab Cabin Run (Thompson Run), Unnamed Tributary of Slab Cabin Run (Walnut Spring), Slab Cabin Run, and Unnamed Tributary of Spring Creek (Big Hollow) are located in State Water Plan watershed 9-C and is classified for Cold Water Fishes, Migratory Fishes, High Quality—Cold Water, High Quality Waters—Cold Water Fishes, and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan 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 570-327-3693.

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

**PAI134803, MS4, College Township**, 1481 E College Avenue, State College, PA 16801-6815. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in College Township, **Centre County**. The receiving stream(s), Slab Cabin Run, Unnamed Tributary of Slab Cabin Run (Thompson Run), and Spring Creek, are located in State Water Plan watershed 6-A and 9-C and is classified for Cold Water Fishes, Migratory Fishes, High Quality—Cold Water, and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan 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 570-327-3693.

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

**PAI134801, MS4, Harris Township**, P.O. Box 20, Boalsburg, PA 16827-0020. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Harris Township, **Centre County**. The receiving stream(s), Spring Creek, is located in State Water Plan watershed 9-C and is classified for High Quality—Cold Water and Migratory Fish, 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 570-327-3693.

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

**PAI134805**, MS4, **Ferguson Township**, 3147 Research Drive, State College, PA 16801-2752. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Ferguson Township, **Centre County**. The receiving stream(s), Big Hollow, Unnamed Tributary of Big Hollow, Unnamed Tributary of Beaver Branch, Slab Cabin Run, and Unnamed Tributaries of Slab Cabin Run, are located in State Water Plan watershed 9-C and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan 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 570-327-3693.

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

**PAI134802**, MS4, **Patton Township**, 100 Patton Plaza, State College, PA 16803-2304. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Patton Township, **Centre County**. The receiving stream(s), Buffalo Run, Unnamed Tributaries of Buffalo Run, and Unnamed Tributaries of Spring Creek, are located in State Water Plan watershed 9-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

The applicant has submitted the following plan 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 570-327-3693.

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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150110	Jay Ranalli 205 Hilloch Drive West Chester, PA 19380-6607	Chester	West Vincent Township	Unnamed Tributary to Pickering Creek HQ-TSF
PAD150104	Chad Byers 35 Wyndemere Lake Drive Chester Springs, PA 19425	Chester	West Vincent Township	Pickering Creek HQ-TSF
PAD150115	Michael Taylor 811 Lisadell Drive Kennett Square, PA 19348	Chester	West Bradford Township	Broad Run EV-MF
PAD150108	McKee-Milford Associates, LP 940 West Sproul Road Springfield, PA 19064	Chester	Upper Uwchlan Township	Unnamed Tributary to Marsh Creek HQ-TSF
PAD230030	P Squared Real Estate, LLC 386 Lenni Road Chester Heights, PA 19017	Delaware	Middletown Township	Rocky Run HQ-CWF
PAD460036	PennDot 7000 Geerdes Boulevard King of Prussia, PA 19406	Montgomery	Whitpain Township	East Branch Stony Creek TSF-MF
PAD460031	720 Spring Mill, LP P.O. Box 728 Conshohocken, PA 19428	Montgomery	Conshohocken Borough	Schuylkill River WWF-MF
PAD460035	Renaissance Land Associates, II 201 King of Prussia Road Suite 501 King of Prussia, PA 19406	Montgomery	Upper Merion Township	Unnamed Tributary to Matsunk Creek WWF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD510037	SEPTA 1234 Market Street 12th Floor Philadelphia, PA 19107-3780	Philadelphia	City of Philadelphia	Tookany-Tocany Frankford Watershed WWF-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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130017	PPL Electric Utilities Corp 2 N 9th St Allentown, PA 18101	Carbon	Franklin Twp	UNT to Lehigh Canal (HQ-CWF, MF) Pohopoco Creek (CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390112	Howard Land Co Saratoga Chase LLC 203 Emmaus Ave Allentown, PA 18101	Lehigh	Weisenberg Twp	Schaefer Run (HQ-CWF, MF) EV Wetlands

*Pike County Conservation District, 556 Route 402, Suite 1, Hawley, PA 18428.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD520019	Pocono Lakefront LLC Jacob Goren 61 W 62nd St, Unit 22E New York, NY 10023	Pike	Palmyra	Wallenpaupack Creek (HQ-CWF, MF) UNT to Wallenpaupack Creek (HQ-CWF, MF)

*Schuylkill Conservation District, 1206 AG Center Drive, Pottsville, PA 17901-9733.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD540011	PPL Electric Utilities Corp 2 N 9th St Allentown, PA 18101-1139	Schuylkill	Pottsville City Blythe Twp Butler Twp New Castle Twp Norwegian Twp	Schuylkill River (CWF, MF) W Branch Schuylkill River (CWF, MF) Wheeler Creek (CWF, MF) Tar Run (HQ-CWF, MF) Mud Run (HQ-CWF, MF) Little Mahanoy Creek (CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD210030	Carlisle Family YMCA 311 South West Street Carlisle, PA 17013-3854	Cumberland	Carlisle Borough	UNT Letort Spring Run (HQ-CWF, MF)
PAD220003	Girl Scouts in the Heart of Pennsylvania 350 Hale Avenue Harrisburg, PA 17104	Dauphin	Jackson Township	Conleys Creek (HQ-CWF, TSF)

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

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD020016	Edward W. Stack 217 Spanish Tract Road Sewickley, PA 15143	Allegheny	Edgeworth Borough	Little Sewickley Creek (HQ-TSF)
PAD020018	Hammock Beach Partners, LLC 4278 Green Glade Court Allison Park, PA 15101	Allegheny	Fox Chapel Borough	UNT to Squaw Run (HQ-WWF)
PAD020020	4137 Bakerstown Road, LLC 2 Manhattanville Road Suite 403 Purchase, NY 10577	Allegheny	Richland Township	UNT to Breakneck Creek (WWF); UNT to Willow Run (TSF)
PAD630033	Metz Development 524 Waterdam Road McMurray, PA 15317	Washington County	North Strabane Township	Little Chartiers Creek (HQ-WWF)

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

PAG-12	CAFOs
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#### **MS4 PAG-13 Notices of Intent Received.**

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136103	Canonsburg Borough 68 E Pike Street Canonsburg, PA 15317	Canonsburg Borough Washington County	No	Yes
PAG136133	Georges Township 1151 Twp Drive Uniontown, PA 15401	Georges Township Fayette County	No	Yes

## **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>
Mahosky Farms, LLC 210 Back Road Canton, PA 17724	Tioga	67.5	685.68	Hog	Sugar Works Run—HQ Mill Creek—HQ	Renewal
The Meadows Racetrack & Casino 210 Racetrack Road Washington, PA 15301	Washington	134.4	929.50	Horse	NA	Renewal
Mike Buckwalter 350 Rock Point Road Marietta, PA 17547	Lancaster	255.2	491.48	Swine/Beef	NA	Renewal
Bacon Acres— Jay & Beth Hess 151 Pequea Creek Road Conestoga, PA 17516	Lancaster	320	550.16	Swine/ Beef/ Broiler	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 Received Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17).**

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

**Permit No. 0918521, Public Water Supply.**

Applicant	<b>Warrington Township</b> 852 Easton Road Warrington, PA 18976
Township	Warrington
County	<b>Bucks</b>
Responsible Official	Warrington Township 852 Easton Road Warrington, PA 18976
Type of Facility	PWS
Consulting Engineer	CKS Engineering, Inc. 88 South Main Street Doylestown, PA 18901
Application Received Date	November 30, 2018
Description of Action	Construction permit request to install ion exchange and activated carbon filtration on Wells 3 and 9 for PFOS/PFOA treatment.

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

**Application No. 6618504, Public Water Supply.**

Applicant	<b>Exeter Township Sr. Ctr. &amp; Apt. Complex</b> P.O. Box 88 2690 Sullivan Trail Rd. Falls, PA 18615
[Township or Borough]	Exeter Township <b>Wyoming County</b>

Responsible Official Richard Wilbur  
Exeter Township Supervisor  
Exeter Township Sr. Ctr. & Apt.  
Complex  
P.O. Box 88  
2690 Sullivan Trail Rd.  
Falls, PA 18615

Type of Facility PWS

Consulting Engineer George Parker, P.E.  
c/o Farnham Associates, Inc.  
325 John Street  
Clarks Summit, PA 18411

Application Received Date 9/11/2018

Description of Action The application proposes upgrading the existing PWS system facilities including (but not limited to) abandoning existing water supply UST and installing upgraded supply piping and compliant construction design with new contact tanks, storage tank, and system pressure booster pumps.

**Application No. 4519501, Public Water Supply.**

Applicant **Pennsylvania American Water Company**  
800 West Hershey Park Dr.  
Hershey, PA 17033

[Township or Borough] Hamilton Township  
**Monroe County**

Responsible Official David R. Kaufman,  
VP—Engineering  
Pennsylvania American Water  
Company  
800 West Hershey Park Dr.  
Hershey, PA 17033

Type of Facility PWS

Consulting Engineer Michael Mehaffey, PE  
Gannett Fleming, Inc.  
P.O. Box 67100  
Harrisburg, PA 17106

Application Received Date 1/11/2019

Description of Action Application proposes the following: convert current abandoned caustic containment area to a sodium hypochlorite storage area; convert dry storage area to a sodium hypochlorite day tank and feed pump area; construct chemical unloading containment trenches; construct a UV vault and (2) UV units per EPA LT2ESWTR for additional 1.0 log removal of cryptosporidium (Bin 2 Cherry Hill Spring Source); and demolish the chlorine gas chlorination system and all associated equipment to replace with sodium hypochlorite liquid feed system and convert the room to a sodium permanganate feed room.

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

**Permit No. 0618528, Public Water Supply.**

Applicant **Bally Investors**

Municipality Washington Township

County **Berks**

Responsible Official Michael Pawlowsky, Partner  
P.O. Box 620  
Bala Cynwyd, PA 19004

Type of Facility Public Water Supply

Consulting Engineer Harry E. Garman, P.E.  
Barry Isett & Associates, Inc.  
85 South Route 100  
Allentown, PA 18106

Application Received: 12/24/2018

Description of Action Bally Investors has submitted a PWS permit application for the approval to install a sodium hypochlorite disinfection system and contact piping in order to provide 4-log treatment of viruses at Entry Point 101 (Well No. 1).

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

**Permit No. 1111505, Public Water Supply.**

Applicant **Central City Water Authority**  
314 Central Avenue  
Suite 203  
Central City, PA 15926

[Township or Borough] Shade Township

Responsible Official Scott Mains, Chairman  
Central City Water Authority  
314 Central Avenue  
Suite 203  
Central City, PA 15926

Type of Facility Water system

Consulting Engineer The EADS Group, Inc.  
450 Aberdeen Drive  
Somerset, PA 15501

Application Received Date January 16, 2019

Description of Action Installation of a chlorine booster station and water storage tank mixing system at the Bunker Hill water storage tank site.

**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. 5619502MA, Minor Amendment.**

Applicant **Conaugh Township Municipal Authority**  
113 South Main Street  
Davidsville, PA 15928

[Township or Borough] Conemaugh Township

Responsible Official	Mark Blasko, Chairman Conaugh Township Municipal Authority 113 South Main Street Davidsville, PA 15928
Type of Facility	Water system
Consulting Engineer	The EADS Group 450 Aberdeen Drive Somerset, PA 15501
Application Received Date	January 15, 2019
Description of Action	Replacement of filter media.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

**York Plant Holding, LLC**, 651 Memory Lane, York, PA 17402, Springettsbury Township, **York County**. AECOM, 100 Sterling Parkway, Suite 205, Mechanicsburg, PA 17050, on behalf of Sapphire Power, 360 Avenue P, 4th Floor, Newark, NJ 07105; York Plant Holding, LLC, 651 Memory Lane, York, PA 17402; Talen Energy, 600 Hamilton Street, Suite 600, Allentown, PA 18101; and Equity Industrial Properties, 145 Rosemary Street, Suite E, Needham, MA 02494, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with kerosene. The site will be remediated to the Nonresidential Statewide Health and Site-Specific Standards. Future use of the site is to continue to be used for non-residential purposes. The Notice of Intent to Remediate was published in the *York Daily Record* on January 20, 2019.

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

**Bluegrass SUS Well Pad**, 225 Hibbard Road, Rush Township, **Susquehanna County**. Leidos, 6310 Allentown Boulevard, Suite 110, Harrisburg, PA 17112, on behalf of Chesapeake Appalachia LLC, 300 North 2nd Street, 5th Floor, Harrisburg, PA 17101, submitted a Notice of Intent to Remediate. Soil was contaminated with produced water (brine) from a dump line located between the gas processing units and production tanks. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Daily Review* on January 9, 2019.

**Choconut Valley Elementary School**, 4458 Stanley Lake Road, Choconut Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Montrose Area School District, 273 Meteor Way, Montrose, PA 18801, submitted a Notice of Intent to Remediate. Soil and groundwater at this site were contaminated with gasoline from an underground storage tank. Future use of the site will be residential. A combination of Site-Specific and Statewide Health remediation standards is planned for this site. The Notice of Intent to Remediate was published in *The Susquehanna County Transcript* on November 17, 2018.

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

**EQT Phoenix Former S Pad Impoundment Release**, 782 Antrim Road, Wellsboro, Duncan Township, **Tioga County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of EQT Production Company, 625 Liberty Avenue, Pittsburgh, PA 15222-3111, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with produced fluids. The applicant proposes to remediate the site to meet the Statewide Health Stan-



ard. A summary of the Notice of Intent to Remediate was published in the *Wellsboro Gazette* on January 3, 2019.

**EQT Pad S Well Leak Cleanup**, 782 Antrim Road, Wellsboro, Duncan Township, **Tioga County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of EQT Production Company, 625 Liberty Avenue, Pittsburgh, PA 15222-3111, has submitted a Notice of Intent to Remediate site soil and groundwater contaminated with produced fluids. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was published in the *Wellsboro Gazette* on January 24, 2019.

#### MUNICIPAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGM038SC001A. Agri Marketing, Inc. (dba USA Gypsum)** has submitted a general permit renewal application for its facility located at 1368 West Route 897, Denver, PA 17517 in West Cocalico Township, **Lancaster County**. This general permit authorizes the processing of untreated and unpainted gypsum wallboard products generated at residential homes and commercial construction sites, or manufacturing facilities. The resultant materials may be beneficially used as: (i) a component of mushroom growing media, (ii) a soil additive material, (iii) a soil amendment, (iv) a component or ingredient in a manufacturing process, (v) an animal bedding material, (vi) an ingredient in the production of mulch, (vii) a bulking agent, and (viii) an ingredient in cement, concrete, grout, asphalt or flowable backfill mixtures for construction purposes. The application for renewal was determined to be complete on January 22, 2019.

Persons interested in obtaining more information about this general permit renewal application may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

#### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

**Application(s) for Determination of Applicability received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

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

**General Permit Application No. WMGR017SC002A. Agri-Applicators, Inc.** has submitted an application for

a Determination of Applicability under General Permit No. WMGR017. The application is for Agri-Applicators, Inc.'s facility located at South Side Schaeffer Road, Lebanon, PA 17042 in Heidelberg Township, **Lebanon County**. This general permit authorizes the beneficial use of water supply treatment plant sludge as a soil additive on agricultural lands. The application was determined to be complete on January 8, 2019.

**General Permit Application No. WMGR017SC002B. Agri-Applicators, Inc.** has submitted an application for a Determination of Applicability under General Permit No. WMGR017. The application is for Agri-Applicators, Inc.'s facility located at 918 Schaeffer Road, Lebanon, PA 17042 in Heidelberg Township, **Lebanon County**. This general permit authorizes the beneficial use of water supply treatment plant sludge as a soil additive on agricultural lands. The application was determined to be complete on January 8, 2019.

**General Permit Application No. WMGR017SC002C. Agri-Applicators, Inc.** has submitted an application for a Determination of Applicability under General Permit No. WMGR017. The application is for Agri-Applicators, Inc.'s facility located at 500 Schaeffer Road, Lebanon, PA 17042 in South Lebanon Township, **Lebanon County**. This general permit authorizes the beneficial use of water supply treatment plant sludge as a soil additive on agricultural lands. The application was determined to be complete on January 8, 2019.

Persons interested in obtaining more information about these general permit applications may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**General Permit Application No. WMGR028SC011A. Wilson Paving, Inc.** has submitted an application for a Determination of Applicability under General Permit No. WMGR028. The application is for Wilson Paving's Batch Asphalt Plant, 480 West Old York Road, Carlisle, PA 17013 in South Middleton Township, **Cumberland County**. This general permit authorizes the beneficial use of baghouse fines and/or scrubber pond precipitates, generated by hot-mix asphalt plants, for use as (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner, or (iv) a component or ingredient in the manufacturing of construction products. The application was determined to be complete on January 9, 2019.

Persons interested in obtaining more information about the general permit application may contact Mr. John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

#### AIR QUALITY

#### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its



application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

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

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

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

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

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

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**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.**

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*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.*

**21-05035B: Hempt Bros., Inc.—Locust Point Quarry** (205 Creek Road, Camp Hill, PA 17011) for the installation and relocation of new and old crushing equipment and conveyors to make use of a surge pile, increasing maximum production capacity from 500 to 700 tons per hour at the existing limestone crushing plant located in Camp Hill, **Cumberland County**. There will be a potential emissions increase of 2.3 tpy PM from this project. The facility is a Synthetic Minor facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the project. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

**36-05158E: Perdue AgriBusiness LLC** (1897 River Road, Marietta, PA 17547) for the modification to the 40 CFR Part 64, Continuous Assurance Monitoring (CAM) pressure differential ranges for various particulate matter control devices at the soybean processing facility in Conoy Township, **Lancaster County**. The respective gr/dscf particulate matter emission limits on each control device will not change during the project. Furthermore, the facility's site-wide emissions limits (116.9 tpy PM, 30.7 tpy PM<sub>10</sub>, 8.1 tpy PM<sub>2.5</sub>, 208.1 tpy VOC, & 104.0 tpy n-hexane) established during PA No. 36-05158A are not changing. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction.

**07-03034G: Alpha Assembly Solutions** (4100 6th Avenue, Altoona, PA 16602) for the installation of a new RSI-G-466 sweat furnace and integral afterburner at the facility located in the City of Altoona, **Blair County**. This installation also includes the removal of an existing sweat furnace. The expected potential emissions increase at the facility as a result of the proposed furnace are: 1.44 tpy of CO, 1.72 tpy of NO<sub>x</sub>, 0.01 tpy of NO<sub>x</sub>, 0.61 tpy of PM, 0.09 tpy of VOCs and 0.14 tpy of Lead. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, DEP proposes to issue a plan approval for the proposed installation. The facility is a

State Only facility. If DEP determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

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

**43-373B: Ellwood Crankshaft & Machine Company** (2575 Freedland Road, Hermitage, PA 16148), for the proposed modification of plan approval 43-373A conditions with regards to eliminating the heat input and temperature ranges from the recordkeeping requirements for the furnaces in Sharon City, **Mercer 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 43-373B is for the proposed modification of plan approval 43-373A conditions with regards to eliminating the heat input and temperature ranges from the recordkeeping requirements for the furnaces. 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:

- Clam Shell Furnaces:
  - Each furnace shall not emit more than the following:
    - NO<sub>x</sub>: 4.6 tpy based on a 12-month rolling total
    - NO<sub>x</sub>: 1.37 #/hr
    - CO: 3.87 tpy based on a 12-month rolling total
    - CO: 0.88 #/hr
  - Stack test for NO<sub>x</sub> and CO initially and at operating permit renewal when operating between 1,300F and 2,300F and at greater than 90% of rated heat input.
  - The permittee shall record the following:
    - Gas usage on a monthly basis and a 12-month rolling total basis.
    - Hours of operation for each furnace on a monthly basis and a 12-month rolling total basis.
    - NO<sub>x</sub> emissions on a monthly basis and a 12-month rolling total basis.
    - CO emissions on a monthly basis and a 12-month rolling total basis.
- Mobi-Hearth Heat Treat Furnaces:
  - Subject to 25 Pa. Code §§ 123.13 and 123.21
  - Each furnace shall not emit more than the following:
    - NO<sub>x</sub>: 6.57 tpy based on a 12-month rolling total
    - NO<sub>x</sub>: 1.5 #/hr
    - CO: 5.52 tpy based on a 12-month rolling total
    - CO: 1.25 #/hr

- Stack test for NO<sub>x</sub> and CO initially and at operating permit renewal when operating between 1,300F and 1,700F and at greater than 90% of rated heat input.
- The permittee shall record the following:
  - Gas usage on a monthly basis and a 12-month rolling total basis.
  - Hours of operation for each furnace on a monthly basis and a 12-month rolling total basis.
  - NO<sub>x</sub> emissions on a monthly basis and a 12-month rolling total basis.
  - CO emissions on a monthly basis and a 12-month rolling total basis.

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 approval [43-373B] 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 above 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.

#### **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.**

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

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

**15-00010: ArcelorMittal Plate, LLC** (139 Modena Road, Coatesville, PA 19320; Attn: Mr. Ray Ajalli), for the renewal of the Title V Operating Permit. The initial permit was issued on September 14, 2001, for their steel manufacturing plant located in Coatesville Borough, **Chester County**. Additionally, this Title V Operating Permit renewal incorporates RACT Phase II in accordance with 25 Pa. Code § 129.99 (a) [Alternate RACT proposal]. The facility is a major source for NO<sub>x</sub>, CO, VOC, PM<sub>10</sub>, SO<sub>x</sub>, and greenhouse gases (GHG). Sources include furnaces, boilers, steel surface conditioning processes, generators, fire pumps, parts washers, nickel plating with scrubbers, surface coating operations, and other miscellaneous steel manufacturing components, many of them controlled by dust collection systems. Two 4SLB Emergency Generators (Source ID 769) are subject to 40 CFR Part 60, Subpart JJJJ. The following sources are subject to 40 CFR Part 63: \D\ Electric Furnace—Source ID 104 (Subpart YYYYY); 12,000 Gal Underground Gas Storage Tank—Source ID 226 (Subpart CCCCCC); Nickel Plating and 2 Scrubbers—Source ID 254 (Subpart WWWW); Emer Pump/Generator—Source ID 768 (Subpart ZZZZ); and Small Emergency Generators and Pumps—Source 770 (Subpart ZZZZ). Applicable requirements are already incorporated into the Title V Operating Permit. The following sources are subject to Compliance Assurance Monitoring (CAM) requirements: Source IDs 104, 174, 176, 181, 182, 207, 228, 232, 234, 235, 258, and 263.

In conjunction with RACT Phase II, the following sources are subject to case-by-case RACT II regulations: the EMS Boiler (Source ID 055), the “D” Electric Furnace (104), BHT Furnaces # 2—# 7 (Source ID 136), BHT Furnaces # 8 & # 10 (Source ID 136A), the 145’ NAB Furnace (Source ID 146A), the 200’ NAB Furnace (Source ID 146B), Soaking Pits # 35—# 49 (Source ID 151), and the Continuous Caster Spray Chamber (Source ID 270). The RACT analysis provided by ArcelorMittal Plate, LLC was evaluated to determine if any new or additional controls could be required to reduce NO<sub>x</sub> and/or VOC from the aforementioned sources. DEP concurs with the analysis performed by ArcelorMittal Plate, LLC that there are no additional controls available currently that are both technically and economically feasible. Where appropriate, NO<sub>x</sub> and VOC limits have been established for the case-by-case sources, including methods of compliance. For those sources subject to presumptive RACT requirements of 25 Pa. Code § 129.97, applicable conditions will be incorporated into the Title V Operating Permit. Changes to the Title V Operating Permit that are made in conjunction with RACT Phase II will be submitted to EPA for review and approval to be added to the State implementation plan. This permit is being modified in accordance with 25 Pa. Code § 127.541.

Allowable emissions from the facility have not increased as a result of this permit renewal or RACT Phase II. The operating permit contains requirements to keep the facility operating within all applicable air quality requirements for this source.

**09-00016: Exelon Generation Company, LLC** (Croydon Generating Station, 955 River Road, Bristol, PA 19007) for renewal of the Title V Operating Permit in Bristol Township, **Bucks County**. The facility operates a peak power generating station at this location. Sources consist of eight (8) identical, distillate oil-fired, simple cycle combustion turbines. There have been no physical changes or modifications to any of the sources since the operating permit was last issued in April 2018. This facility is considered a major stationary source for NO<sub>x</sub>

and SO<sub>x</sub> emissions as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not adopt any new regulations and does not authorize any increase in air emissions of any regulated pollutants above previously approved levels. The permit includes monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements.

*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.*

**06-05002: Lehigh Cement Co., LLC** (537 Evansville Road, Fleetwood, PA 19522-8541) for Lehigh’s Evansville Cement Plant located in Maiden creek Township, **Berks County**. The Title V Operating Permit is undergoing a significant modification to: 1) incorporate the findings of the Best Available Retrofit Technology (BART) evaluation into Lehigh’s Title V Operating Permit No. 06-05002, 2) incorporate an alternative data substitution methodology as an approved method for demonstrating compliance with portions of the facility’s CO, NO<sub>x</sub> & SO<sub>x</sub> Plantwide Applicability Limit (PAL) requirements, 3) incorporate the presumptive NO<sub>x</sub> limit/requirements of 25 Pa. Code §§ 129.96—129.100, Additional RACT Requirements for Major Sources of NO<sub>x</sub> and VOCs, commonly referred to as RACT II, 4) remove monitoring & recordkeeping requirements based on Lehigh’s past aggregation determination with the adjacent third party quarry operations, and 5) revise the PM, PM<sub>10</sub>, PM<sub>2.5</sub>, CO, NO<sub>x</sub>, SO<sub>x</sub>, and VOC PAL limits based on the data substitution methodology, the presumptive RACT II NO<sub>x</sub> emission limit and the removal of emissions associated with third party quarry operations. 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.

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

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

**49-00003: ACF Industries, LLC** (417 N. Arch St., Milton, PA 17847) a Title V operating permit renewal for the Milton Plant located Milton Borough, **Northumberland County**. In accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the previously mentioned facility. The subject facility has the following potential emissions: 60.30 TPY of CO; 84.56 TPY of NO<sub>x</sub>; 10.94 TPY of SO<sub>x</sub>; 5.20 TPY of PM/PM<sub>10</sub>; 113.89 TPY of VOCs; <10 TPY of any individual HAP; <25 TPY of total HAPs; and 99,180 TPY of CO<sub>2e</sub>. The facility’s sources include two (2) water heaters, one (1) boiler, forty-eight (48) direct fire heaters, four (4) railcar steel part heating furnaces, one (1) railcar surface coating operation, two (2) grit blast operations, one hundred (100) propane cutting torches, four (4) metal cutting operations, two (2) petroleum products storage tanks and various fugitive emissions, all of which have the potential to emit volatile organic compounds (VOCs) above the major emission threshold. The emission limits and work practice stan-



dards along with testing, monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Article III, Chapters 121–145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

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

**OP16-000021: Southwest Water Pollution Control Plant** (8200 Enterprise Ave, Philadelphia, PA 19153) for the operation of a water treatment plant in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include liquid treatment processes, solids treatment processes, two (2) boilers firing digester gas and No. 2 fuel oil each rated 5.230 MMBtu/hr, four (4) boilers firing digester gas and No. 2 Fuel Oil each rated 26.780 MMBtu/hr, four (4) flares firing digester gas and propane each rated 88,150 SCF/hr, and two (2) portable washers firing gasoline and No. 2 Fuel Oil each rated 294,000 BTU/hr, and four (4) cold cleaning degreasers using non-halogenated solvents.

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 or comments 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.

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

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

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

**40-00048: Haines and Kibblehouse, Inc.—Pikes Creek Quarry** (528 Trojan Road, Hunlock Creek, PA 18621-4207). The Department intends to issue a renewal State-Only Natural Minor Permit for the Pikes Creek Quarry located in Lehman Township, **Luzerne County**. This facility operates a rock crushing plant. The sources are considered a minor emission source of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), 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 Elmer-ton Avenue, Harrisburg, PA 17110.*

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

**67-03045: Acco Material Handling Solutions, Inc.** (P.O. Box 792, York, PA 17405) to issue a State Only Operating Permit renewal for the hoist and crane component manufacturing facility located in York Township, **York County**. The actual emissions from the facility in 2018 were reported to be 0.9 ton VOC; 0.2 ton glycol ethers; and 0.2 ton total HAPs. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 129.52 and 129.52d (Source IDs 103 and 104).

**67-05056: Ardent Mills LLC** (2800 Blackbridge Road, York, PA 17406) to issue a State Only Operating Permit renewal for the flour mill facility in Manchester Township, **York County**. This is for renewal of the existing State-only permit. Potential air emissions from the facility are estimated at 51.6 tpy PM, 1.78 tpy SO<sub>2</sub> and less than 1 tpy of NO<sub>x</sub>, CO and VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**06-05106: SFS Intec, Inc.** (41 Dennis Drive, Reading, PA 19606) to issue a State-Only Operating Permit renewal for the fastener coating facility in Exeter Township, **Berks County**. Actual emissions from the facility in 2017 were estimated at 0.23 ton of CO, 0.27 ton of NO<sub>x</sub>, 0.02 ton of PM<sub>10</sub>, 9.51 tons of VOC, 0.00 ton of combined HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code §§ 123.13, 123.21, 129.52d, and 129.63.

**38-05018: Lebanon Veterans Administration Medical Center** (1700 South Lincoln Avenue, Lebanon, PA 17042) to issue a State Only Operating Permit renewal for the VA hospital located in South Lebanon Township, **Lebanon County**. The potential emissions are estimated at 46.34 tpy of NO<sub>x</sub>, 37.65 tpy of CO, 3.05 tpy of PM<sub>10</sub>, 2.90 tpy of SO<sub>x</sub> and 5.94 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, 40 CFR 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines and 40 CFR Part 63, Subpart WWWW—National Emission Standards for Hospital Ethylene Oxide Sterilizers.

**06-05116: Packaging Corporation of America** (173 Tuckerton Road, Reading, PA 19605) to issue a State Only



Operating Permit renewal for the corrugated paper products manufacturing plant located in Muhlenberg Township, **Berks County**. The actual 2017 emissions from the facility are estimated at 6.05 tons of PM, 2.20 tons of CO, 2.28 tons of VOC and less than a ton of other pollutants. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart Dc, 40 CFR 63 Subpart KK and 25 Pa. Code § 129.63.

**67-05055: Ardent Mills, LLC** (321 Taylor Avenue, Red Lion, PA 17356) to issue a State Only Operating Permit renewal for the flour mill facility in Red Lion Borough, **York County**. The annual emissions in year 2017 were 9.90 tons of PM<sub>10</sub>, and less than one ton of VOCs. 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.

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

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

**17-00006: Mt. Savage Specialty Refractories Co.** (P.O. Box 60, Curwensville, PA 16833-0060); the Department intends to issue a renewal State Only permit for their Curwensville Plant facility located in Pike Township, **Clearfield County**. The facility is currently operating under State Only Permit No: 17-00006 issued on August 7, 2015. There were no physical changes to facility wide source operations since the previous permit was issued. Facility wide Potential to Emit calculations for nitrogen oxides (NO<sub>x</sub>, expressed as NO<sub>2</sub>), carbon monoxide (CO), volatile organic compounds (VOCs), sulfur oxides (SO<sub>x</sub>, expressed as SO<sub>2</sub>), particulate matter (PM), PM<sub>10</sub>, PM<sub>2.5</sub> and hazardous air pollutants (HAPs) are, as follows: NO<sub>x</sub>—2.1 tons per year (tpy); CO—1.42 tpy; VOCs—0.87 tpy; SO<sub>2</sub>—0.02 tpy; PM<sub>10</sub>—98.8 tpy; and HAPs—less than 0.87 tpy. The refractory manufacturing is subject to Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12, including requirements to control emissions from manufacturing equipment with fabric collectors. The fabric collectors are to be operated and maintained in accordance with good air pollution control practices. In addition, the company is required to operate a wet scrubber within certain design parameters to ensure that the emissions are minimized to the maximum extent possible in accordance with the applicable BAT requirements. Based on the information provided in the permit renewal application submittal, all applicable air quality regulatory requirements pertaining to the air contaminant sources located at this facility have been incorporated into the renewal permit including testing, monitoring, recordkeeping, reporting and work practice conditions to verify compliance with the applicable requirements. The applicable requirements were derived from 25 Pa. Code Article III, Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.0550.

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

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

**04-00061: Nalco Company/Ellwood City North & South Plants** (125 Nalco Way, Ellwood City, PA 16117 and 1640 Route 65, Ellwood City, PA 16117) for the manufacturing of specialty chemicals including liquid polymers, latex emulsion polymers and industrial biocide blends located in Franklin Township, **Beaver County**. In accordance with 25 Pa. Code § 127.424 and § 127.425, the Department of Environmental Protection (DEP) has received an application and intends to issue a renewed Air Quality Operating Permit for the previously-mentioned facility.

The subject facility consists of two plants, designated North Plant and South Plant, comprising of natural gas boilers, various bulk storage tanks including acrylamide tanks, blending tanks, and batch reactors. The facility has the potential to emit 23.04 tons per year (TPY) NO<sub>x</sub>, 19.36 TPY CO, 0.14 TPY SO<sub>x</sub>, 8.06 TPY VOC, 13.58 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, 6.67 TPY total HAP, and 0.41 TPY of single HAP (hexane). The facility will be required to conduct daily surveys of the site to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The air quality permit includes operation requirements, monitoring requirements, and recordkeeping requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Bradley Spayd, Air Quality Engineering Trainee, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (04-00061) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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

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

#### PLAN APPROVALS

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Ampal, Inc. (2115 Little Gap Road, Palmerton, PA 18071) for their facility located in Lower Townensing Township, Carbon County. This Plan Approval No. 13-00013A will be incorporated into the companies Synthetic Minor Permit 13-00013 through an administrative amendment at a later date.

Plan Approval No. 13-00013A is for the construction and operation of an atomized aluminum powder manufacturing operations which will include an aluminum melting furnace, process towers, three storage silos, and bulk loading operations. The company has proposed baghouses to control particulate emissions generated during powder manufacturing operations. The company will meet the BAT limit of 0.02 grain per dry standard cubic foot for particulate emissions. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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.: 13-00013A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district

mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

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

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

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

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

### *Coal Applications Received*

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

**30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC**, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Enlow Fork Mine in East Finley Township, **Washington County** and Richhill Township, **Greene County** and related NPDES permit for installation of a degas borehole. Surface Acres Proposed 3.3. No additional discharges. The application was considered administratively complete on January 11, 2019. Application received: September 5, 2018.

**56091301 and NPDES No. PA0235865. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Stonycreek Mine in Quemahoning Township, **Somerset County** and related NPDES permit. No additional discharges. The application was considered administratively complete on January 11, 2019. Application received September 21, 2017.

**14743701 and NPDES No. PA0600156. Pennsylvania Mines, LLC**, (835 Hamilton Street, Suite 150, Allentown, PA 18101). To renew the permit for the Pauline Hollow Coal Refuse Disposal Site in Rush Township, **Centre County** and related NPDES permit. No additional discharges. The application was considered administratively complete on January 14, 2019. Application received: April 9, 2018.

**30861601 and NPDES No. PA02144256. Coresco, LLC**, (966 Crafts Run Road, Madsville, WV 26541). To renew the permit for the Dunkard Preparation Plant in Monongahela Township, **Greene County** and related



NPDES permit. No additional discharges. The application was considered administratively complete on January 15, 2019. Application received: December 22, 2017.

**32850701 and NPDES No. PA0213683. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Clymer Refuse Disposal Site in Cherryhill Township, **Indiana County** and related NPDES permit for additional topsoil storage areas. Surface Acres Proposed 5.7. No additional discharges. The application was considered administratively complete on January 17, 2019. Application received: April 17, 2019.

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

**Permit No. 56190101 and NPDES No. PA0279633. Heritage Coal & Natural Resources, LLC**, 550 Beagle Road, Rockwood, PA 15557, commencement, operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County** affecting 47.0 acres. Receiving streams: unnamed tributaries to Blue Lick Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 16, 2019.

The application includes a stream encroachment to install a culverted stream crossing within the barrier area of unnamed tributary to Blue Lick Creek.

The application also includes a request for a Section 401 Water Quality Certification.

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

**17110107 and NPDES PA0257699. Bell Resources, Inc.** (1340 Hoyt Road, Curwensville, PA 16833). Permit renewal for continued operation and restoration of a bituminous coal surface mine located in Bloom, Brady, and Penn Townships, **Clearfield County** affecting 76.2 acres. Receiving stream(s): Unnamed Tributary to Bell Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: January 4, 2019.

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

**63110101 and NPDES Permit No. PA0252069. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258). Renewal application for continued mining to an existing bituminous surface mine,

located in Deemston Borough, **Washington County**, affecting 24.4 acres. Receiving streams: unnamed tributaries to Ten Mile Creek and Ten Mile Creek, classified for the following use: TSF. Tri-County Joint Municipal Authority is the potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: January 14, 2019.

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

**Permit No. 54-19-01 and PAG02 NPDES No. PAG02-541901. Waste Management & Processors, Inc.**, (10 Gilberton Road, Gilberton, PA 17934), commencement, operation and restoration of a Government Financed Construction Contract and PAG02 NPDES Permit in the Borough of Gilberton, **Schuylkill County** affecting 11.3 acres, receiving stream: Mahanoy Creek, classified for the following uses: warm water and migratory fishes. Application received: November 9, 2018.

**Permit No. GP12-541901. Waste Management & Processors, Inc.**, (10 Gilberton Road, Gilberton, PA 17934), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on GFCC No. 54-19-01 in Gilberton Borough, **Schuylkill County**. Application received: January 11, 2019.

**Permit No. 5490101R5. Blackwood, Inc.**, (P.O. Box 639, Wind Gap, PA 18091), renewal of an existing anthracite surface mine, coal refuse reprocessing and preparation plant operation in Branch, Reilly and Tremont Townships, **Schuylkill County** affecting 1,850.6 acres, receiving stream: Swatara Creek, classified for the following uses: cold water and migratory fishes. Application received: January 8, 2019.

**Permit No. 5490101C54. Blackwood, Inc.**, (P.O. Box 639, Wind Gap, PA 18091), correction to update the post-mining land use from forestland to unmanaged natural habitat of an existing anthracite surface mine, coal refuse reprocessing and preparation plant operation in Branch, Reilly and Tremont Townships, **Schuylkill County** affecting 1,850.6 acres, receiving stream: Swatara Creek, classified for the following uses: cold water and migratory fishes. Application received: January 8, 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.

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

**37860305. Three Rivers Aggregates, LLC** (1807 Shenango Road, New Galilee, PA 16141) Renewal of an existing NPDES Permit No. PA0212032, Plain Grove Township, **Lawrence County**. Receiving streams: Taylor Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: January 14, 2019.

**10960302 and NPDES Permit No. PA0227200. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Revision to move sediment pond K on the existing NPDES Permit in Marion Township, **Butler County**. Receiving streams: Unnamed tributaries to Blacks Creek, unnamed tributaries to North Branch Slippery Rock Creek, and North Branch Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: January 16, 2019.

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

**65980401 and NPDES Permit No. PA0278343. New Enterprise Stone & Lime Company, Inc.** (3912 Bramaugh Road, P.O. Box 77, New Enterprise, PA 16664). Application for commencement, operation and restoration of large noncoal surface mine NPDES permit, located in Donegal Township, **Westmoreland County**, affecting 70.6 acres. Receiving streams: Indian Creek, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: January 2, 2019.

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

**Permit No. 8275SM1C6 and NPDES No. PA0594601. Pennsy Supply, Inc.**, (1001 Paxton Street, Harrisburg, PA 17105), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in West Hempfield Township, **Lancaster County** affecting 115 acres, receiving stream: unnamed tributary to Chickies Creek, classified for the following use: warm water fishes. Application received: January 3, 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 § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### Coal NPDES Draft Permits

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

**NPDES No. PA0262498 Mining Permit No. 56180101, PBS Coals, Inc.**, P.O. Box 260, Friedens, PA 15541, revised NPDES permit for a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 348.3 acres. Receiving stream: Schrock Run, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: December 31, 2018.

The following treated wastewater outfall discharges to Schrock Run:

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

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

<i>Outfalls: 013 (All Weather Conditions) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

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

**NPDES No. PA0128198 (Mining permit No. 17803023), EnerCorp, Inc.**, 1310 Allport Cutoff, Morrisdale, PA 16858 renewal of an NPDES permit for bituminous surface coal mining in Cooper Township, **Clearfield County**, affecting 14.2 acres. Receiving stream(s): Basin Run classified for the following use(s): CWF. West Branch Susquehanna River TMDL. Application received: October 11, 2018.

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

The following outfall discharges to Basin Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
FTP (13)	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 <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		2.25	4.5	5.25
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

<sup>1</sup> The parameter is applicable at all times.

**NPDES No. PA0269778 (Mining permit No. 17160104, 6 Mile West Operation), RES Coal LLC**, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920, revision of an NPDES permit to discharge to a different watershed (25 Pa. Code § 86.54(a)) for a bituminous coal surface mine in Decatur Township, **Clearfield County** affecting 91.4 acres. Receiving stream(s): Shimel Run to Moshannon Creek, classified for the following use(s): CWF and TSF. Moshannon Creek Watershed TMDL. Application received: December 4, 2018.

This revision is to add an existing NPDES discharge point to the existing NPDES permit. No other changes are proposed to the NPDES permit. The proposed discharge point (011) is located on adjacent SMP No. 17990102, 6 Mile Road Operation, RES Coal, LLC, and currently discharges and will continue to discharge to Little Laurel Run. Receiving stream(s) for discharge 011: Little Laurel Run to Laurel Run to Moshannon Creek, classified for the following use(s): CWF. Moshannon Creek Watershed TMDL.

The following outfall discharges to Little Laurel Run:

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

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 <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		1.8	3.6	4.5
Aluminum (mg/l)		1.0	1.0	1.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				N/A

<sup>1</sup> The parameter is applicable at all times.

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

**NPDES No. PA0600555 (Surface Mine Permit No. 26840105), Boyle Land & Fuel Company**, P.O. Box 400, Laughlintown, PA 15655, renewed NPDES permit for a passive post-mining discharge water treatment system located in Wharton Township, **Fayette County**, affecting 69.6 acres. Receiving stream: unnamed tributaries (UNTs) to Stony Fork, classified for the following use: HQ-CWF. Application received: November 6, 2017.

The following treated wastewater outfall discharges to UNTs to Little Champion Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
MP9	No	Treatment Facility Outfall

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

<i>Outfall: MP9 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90

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

Alkalinity must exceed acidity at all times.

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0256447 (Mining permit No. 14060302, White Rock No. 2 Quarry), Glenn O. Hawbaker, Inc.**, 1952 Waddle Road, State College, PA 16803. Renewal of NPDES permit for noncoal surface mine in Spring Township, **Centre County** affecting 23.6 acres. Receiving stream(s): Spring Creek classified for the following use(s): CWF. Application received: January 8, 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 Spring Creek:

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

In addition, the proposed effluent limits for outfalls 008 and 009 will include:

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

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

**NPDES Permit No. PA0044555 on Surface Mining Permit No. 7774SM1. New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc.**, (3724 Crescent Court West, Whitehall, PA 18052), renewal of an NPDES Permit for a dolomite and limestone quarry operation in Oley Township, **Berks County**, affecting 675.0 acres. Receiving stream: unnamed tributary to Limekiln Creek, classified for the following uses: warm water and migratory fishes. Application received: February 9, 2018.

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

The following outfall discharges to unnamed tributary to Limekiln Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Treatment Facility Outfall

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Discharge (MGD)		1.4		
Total Suspended Solids (mg/L)	35.0	70.0	90.0	

<sup>1</sup> The parameter is applicable at all times.

**NPDES Permit No. PA0225932 on Surface Mining Permit No. 64910302. Ron Scull**, (565 Beach Lake Highway, Honesdale, PA 18431), NPDES Permit for a sand and gravel quarry operation in Berlin Township, **Wayne County**, affecting 41.5 acres. Receiving stream: Indian Orchard Brook, classified for the following use: HQ—cold water fishes. Application received: July 25, 2018.

Non-discharge BMP's shall be in effect.

**NPDES Permit No. PA0223794 on Surface Mining Permit No. 06970302. H & K Group, Inc.**, (P.O. Box 196, Skippack, PA 19474), NPDES Permit for a diabase quarry operation in Robeson and Union Townships, **Berks County**, affecting 289.5 acres. Receiving stream: unnamed tributary to Hay Creek, classified for the following use: EV—migratory fishes. Application received: September 24, 2018.

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

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
BM001	No	Stormwater Outfall
BM002	No	Stormwater Outfall
BM003	No	Treatment Facility Outfall

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>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Discharge (MGD) BM001		0.5		
BM 002	0.5			
BM 003	0.5			
Total Suspended Solids mg/L		35.0	70.0	90.0
Turbidity NTU		40.0	80.0	100.0

<sup>1</sup> The parameter is applicable at all times.

**NPDES Permit No. PA0113731 on Surface Mining Permit No. 8073SM5. Gill Quarries, Inc.**, (P.O. Box 187, Fairview Village, PA 19409), renewal of an NPDES Permit for an argillite quarry operation in East Norriton Township, **Bucks County**, affecting 38.31 acres. Receiving streams: Stony Creek, classified for the following uses: trout stock and migratory fishes. Application received: July 24, 2018.

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

The following outfalls discharge to Stony Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Stormwater Outfall
SP002	Yes	Treatment Facility Outfall

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>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Discharge (MGD) 001		0.10		
002		0.50		
Total Suspended Solids		35.0	70.0	90.0
Turbidity NTU		40.0	80.0	100.0
TDS (mg/l)				Monitor and Report
Sulfates (mg/l)				Monitor and Report
Chlorides (mg/L)				Monitor and Report

<sup>1</sup> The parameter is applicable at all times.

**NPDES Permit No. PA0223522 on Surface Mining Permit No. 7475SM5. Lehigh Cement Co., LLC**, (7660 Imperial Way, Allentown, PA 18195), modification of an NPDES Permit for a limestone quarry operation in Nazareth Borough and Upper Nazareth Township, **Northampton County**, affecting 32.7 acres. Receiving stream: unnamed tributary to Schoeneck Creek, classified for the following uses: warm water and migratory fishes. Application received: May 9, 2018.

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

The following outfall discharges to unnamed tributary to Schoeneck Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Treatment Facility Outfall

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Discharge (MGD)				
Total Suspended Solids		35.0	70.0	90.0
Turbidity NTU		40.0	80.0	100.0
TDS (mg/l)			Monitor and Report	
Sulfates (mg/l)			Monitor and Report	
Chlorides (mg/L)			Monitor and Report	
Oil and Grease (mg/l)			Monitor and Report	

<sup>1</sup> The parameter is applicable at all times.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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### 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.

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#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E46-1174. Worcester Township**, 1721 Valley Forge Road, P.O. Box 767, Worcester, PA 19490, Worcester Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain 60 feet long by 8 feet wide by 6.8 feet high pedestrian bridge in and along the 100-year floodway of Zacharias Creek (TSF) associated with the construction of new proposed Multi-Use Trail in Defford Road Park.

The site is located near the intersection of Defford Road and Valley Forge Road (Lansdale, PA USGS map; Lat: 40.199909; Long; -75.346080).

**E46-1175. Whitemarsh Township**, 616 Germantown Pike, Lafayette Hill, PA 19444, Whitemarsh Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a 54-inch HDEP storm water conveyance pipe associated with storm water outfall structure in and along the 100-year floodplain of the Wissahickon Creek, for the purpose of reducing flooding concerns at the existing road intersections.

The proposed work will begin at the intersection of Flourtown Road and Stenton Avenue and slopes toward The Wissahickon Creek along Stenton Avenue, and discharges on lands currently within the Fort Washington State Park.

The site is located at intersection of Stenton Avenue and W. Valley Green Road (Germantown, PA USGS map; Lat: 40.103581; Long: -75.23311).



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

**E40022-816. Earth Conservancy**, 101 South Main Street, Ashley, PA 18706, in Hanover Township, **Luzerne County**, U.S. Army Corps of Engineers, Philadelphia District.

To permanently impact approximately 0.44 acre of wetland (PSS/PEM) for the purpose of reclaiming mine scarred land. The project is located approximately 0.25 mile south of the Middle Road and Lincoln Avenue intersection. (Wilkes-Barre West, PA Quadrangle, Latitude: 41° 10' 57"; Longitude: -75° 59' 35").

**E45-617. Brodhead Creek Regional Authority**, 410 Mill Creek Road, East Stroudsburg, PA 18301-1126, in Stroud Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

Construct and maintain a concrete pad that's approximately 17-feet wide by 34-feet long which contains a new emergency generator and electrical equipment for the Brodhead Creek Regional Authority Water Treatment Plant within the 100-year floodplain of the Brodhead Creek (HQ-CWF, MF). The project is located at 410 Mill Creek Road. (East Stroudsburg, PA Quadrangle, Latitude: 41° 1' 2.77"; Longitude: -75° 12' 8.72").

*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 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 (40.5350, 76.9661). 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.

**E22-650: West Hanover Township Water and Sewer Authority in West Hanover Township, Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To install and maintain a gravity sanitary sewer system and new force main permanently impacting 0.33 acre of a UNT to Beaver Creek and its associated floodway (WWF, MF) and 0.05 acre of PEM wetland all for the purpose of extending sanitary sewer service to the residents of Holiday Park (40.3623, -76.7506). The project is located 0.9 mile from the intersection of PA-39-E/Linglestown Road and Picketown Road, Latitude: 40° 21' 48", Longitude 75° 52' 23" in West Hanover Township, Dauphin County.

**E36-979: West Lampeter Township Board of Supervisors**, 852 Village Road, Lampeter, PA 17537, in West Lampeter Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To remove an existing structure and to construct and maintain a 79-foot 5-inch long 1.0 foot depressed 1-foot

with baffles, 12-foot by 6-foot precast concrete box culvert with precast concrete end sections with depressed riprap at the upstream and downstream ends for the purpose of improving safety issues with the existing crossing and intersection. The project is located at the intersection of Gypsy Hill Road and Long Rifle Road (Conestoga, PA Quadrangle, Latitude 39.999383, Longitude -76.263793) in West Lampeter Township, Lancaster County.

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

**E0829-119: Appalachia Midstream, LLC**, 400 IST Center, Suite 404, Horseheads, NY 14845, Overton Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12-inch diameter natural gas line and a temporary timber mat bridge impacting 69 linear feet of an unnamed tributary to Sugar Run (EV, MF) (Overton, PA Quadrangle, Latitude: 41° 35' 53", Longitude: -76° 35' 34");

2. a 12-inch diameter natural gas line and a temporary timber mat bridge impacting 31 linear feet of an unnamed tributary to Sugar Run (EV, MF) and impacting 1,129 square feet of an adjacent Palustrine Scrub-Shrub Wetland (EV) (Overton, PA Quadrangle, Latitude: 41° 35' 52", Longitude: -76° 35' 39");

3. a 12-inch diameter natural gas line and a temporary timber mat bridge impacting 81 linear feet of an unnamed tributary to Sugar Run (EV, MF) and impacting 112 square feet of an adjacent Palustrine Forested Wetland (EV) (Overton, PA Quadrangle, Latitude: 41° 35' 53", Longitude: -76° 35' 56");

4. a 12-inch diameter natural gas line and a temporary timber mat bridge impacting 198 square feet of a Palustrine Forested Wetland (Overton, PA Quadrangle, Latitude: 41° 35' 47", Longitude: -76° 35' 32");

5. a 12-inch diameter natural gas line and a temporary timber mat bridge impacting 55 linear feet of an unnamed tributary to Sugar Run (EV, MF) (Overton, PA Quadrangle, Latitude: 41° 35' 53", Longitude: -76° 36' 47");

6. a 12-inch diameter natural gas line and a temporary timber mat bridge impacting 78 linear feet of an unnamed tributary to Sugar Run (EV, MF) (Overton, PA Quadrangle, Latitude: 41° 35' 55", Longitude: -76° 36' 48");

7. a 12-inch diameter natural gas line and a temporary timber mat bridge impacting 52 linear feet of an unnamed tributary to Sugar Run (EV, MF) (Overton, PA Quadrangle, Latitude: 41° 35' 58", Longitude: -76° 36' 50");

The project will result in 365 linear feet or 1,439 square feet of temporary stream impacts and 310 square feet (0.01 acre) of PFO and 1,129 square feet (0.03 acre) of PSS wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development in Overton Township, Bradford 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.

*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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0028495 (Industrial)	FedChem, LLC 275 Keystone Drive Bethlehem, PA 18020	Northampton County Lower Nazareth Township	Monocacy Creek (02C)	Yes
PA0055131 (Sewage)	Lehigh Valley Zoo 5150 Game Preserve Road Schnecksville, PA 18078-3305	Lehigh County North Whitehall Township	Jordan Creek (2-C)	Yes
PA0044709A-1 (Sewage)	B'nai B'rith Perlman Camp Wastewater Treatment Plant 661 Rose Hill Road Lake Como, PA 18437-1011	Wayne County Buckingham Township	Shehawken Creek (1-A)	Yes
PA0043311 (Sewage)	Camp Towanda 700 Niles Pond Road Honesdale, PA 18431	Wayne County Lebanon Township	Unnamed Tributary of Big Brook (1-B)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0248274 CAFO	Doug Wolgemuth 1197 Landis Road Elizabethtown, PA 17022	Mount Joy Borough Lancaster County	Unnamed Tributary of Donegal Creek	N

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0113948 (Sewage)	State Correctional Institution—Quehanna Motivational Boot Camp 1920 Technology Parkway Mechanicsburg, PA 17050-8507	Clearfield County Karthaus Township	Marks Run (8-D)	Yes
PA0234010 (Industrial)	I-99 ERPA Leachate Treatment Facility 70 Penndot Drive Clearfield, PA 16830-6051	Centre County Worth Township	Bald Eagle Creek (9-C)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0253227 (Sewage)	Adrian STP 649 Adrian Road Adrian, PA 16210	Armstrong County East Franklin Township	Limestone Run (17-E)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0037133 (Industrial)	Fairview State Fish Hatchery 1735 Shiloh Road State College, PA 16801-8495	Erie County Fairview Township	Unnamed Tributary to Trout Run (15-A)	Yes

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

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

**NPDES Permit No. PA0051934**, Sewage, Amendment 1, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

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

**NPDES Permit No. PA0244295**, Sewage, **Franconia Sewer Authority**, 671 Allentown Road, Telford, PA 18969-2205.

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

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

**NPDES Permit No. PA0245062**, Sewage, **Richard & Helen Petrondi**, 3141 Hollow Road, Malvern, PA 19355.

This proposed facility in Charlestown Township, **Chester County**.

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

**NPDES Permit No. PA0050750**, Sewage, **UMH Properties Inc.**, 3499 US Highway 9, Suite 3C, Freehold, NJ 07728-3277.

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

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

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

**NPDES Permit No. PA0228818**, Industrial, SIC Code 2621, **First Quality Tissue LLC**, 904 Woods Avenue, Lock Haven, PA 17745-3348.

This existing facility is located in Castanea Township, **Clinton County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial waste and stormwater.

**NPDES Permit No. PA0233005**, Sewage, SIC Code 4952, **Michael W & Robin J Fleming**, 1197 Pleasant Hills Road, Williamsport, PA 17701.

This proposed facility is located in Eldred Township, **Lycoming County**.

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

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

**NPDES Permit No. PA0271721**, Sewage, SIC Code 4952, 8800, **Sarah Stapleford**, 2817 W 32nd Street, Erie, PA 16506-3353.

This proposed facility is located in Glade Township, **Warren County**.

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

**NPDES Permit No. PA0271802**, Sewage, SIC Code 4952, 8800, **Jack & Rebecca Urey**, 625 Henderson Station Road, Stoneboro, PA 16153.

This proposed facility is located in Mineral Township, **Venango 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. 4601414**, Sewage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

Description of Action/Activity: Permit Transfer from Limerick Township to Aqua PA WW Inc.

**WQM Permit No. 4699415**, Sewage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

Description of Action/Activity: Permit Transfer from Limerick Township to Aqua PA WW Inc.

**WQM Permit No. 4600421**, Sewage, Renewal, **Montgomery County SPCA**, 19 E. Ridge Pike, Conshohocken, PA 19428-2116.

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

Description of Action/Activity: Permit renewal for the existing wastewater land application system.

**WQM Permit No. 1518411**, Sewage, **Richard & Hellen Petrondi**, 3141 Hollow Road, Malvern, PA 19355.

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

Description of Action/Activity: Installation of a SFTF to replace a 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. 6618404**, Sewage, SIC Code 4952, **Lemon Township Tunkhannock Township Joint Municipal Sewer Authority**, 113 Tunkhannock Twp Drive, Tunkhannock, PA 18657.

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

Description of Proposed Action/Activity: This is a proposal to build and operate a new 0.120 MGD sewage treatment plant to service 382 existing homes with future provisions for an additional 98 new residences. The design proposal is for an Oxidation Ditch treatment system employing an activated sludge process. It will also utilize an influent screen, sludge holding tank, dual clarifiers and dual Ultra Violet Disinfection units. The treated effluent will discharge to Tunkhannock Creek under NPDES Permit PA0276073.

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

**WQM Permit No. 1518201**, CAFO, **Mason's Chrome View Ltd.**, 86 Chrome Rd, Nottingham, PA 19362.

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

Description of Proposed Action/Activity: This General Permit approves construction/operation of sewage facilities consisting of:

- Concrete Round Manure Storage Tank (Proposed)
- Bunk Silo Management System (Proposed)
- Associated Transfer Lines and Pumps (Proposed)
- Concrete Round Manure Storage Tank (Existing)
- Heifer Lagoon (Existing)
- Concrete Manure Storage Pond (Existing)
- Associated Transfer Lines and Pumps (Existing)



**WQM Permit No. 5018401**, Sewerage, **C & C Whitmer Enterprises**, 45 Idle Road, Marysville, PA 17053.

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

Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

For Sewer Line 1,

- New 1,250-gal dual chambered septic tank

For Sewer Line 2,

- New 1,500-gal dual chambered septic tank

Effluent Filter at outlet of septic tank

For the combined Sewer Line 1 and 2,

- Orenco 1,000-gal recirculating tank
- Two (2) Orenco Advantex AX-20
- Flow Splitter Valve
- Two UV light units

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

**WQM Permit No. 4118402**, Sewerage, SIC Code 4952, **Michael W. & Robin J. Fleming**, 1197 Pleasant Hills Road, Williamsport, PA 17701.

This proposed facility is located in Eldred Township, **Lycoming County**.

Description of Proposed Action/Activity: New Single Residence Treatment Plant consisting of 1,500-gallon septic tank, Premier Tech Aqua Ecoflo EC7-500-PP filter unit with integrated UV disinfection system.

**WQM Permit No. 1407408 A-2**, Sewerage, SIC Code 4952, **The Pennsylvania State University**, 139J Physical Plant Building, University Park, PA 16802.

This existing facility is located in State College Borough, **Centre County**.

Description of Proposed Action/Activity: Demolition of the existing trickling filter.

**WQM Permit No. 5510401 A-1**, Sewerage, SIC Code 4952, **Penns Creek Municipal Authority Snyder County**, P.O. Box 148, Penns Creek, PA 17862-0148.

This existing facility is located in Center Township, **Snyder County**.

Description of Proposed Action/Activity: Installation of a 2,730 gallon chlorine contact tank.

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

**WQM Permit No. 6218408**, Sewerage, Sarah Stapleford, 2817 W 32nd Street, Erie, PA 16506-3353.

This proposed facility is located in Glade Township, **Warren County**.

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

**WQM Permit No. 6118404**, Sewerage, **Jack & Rebecca Urey**, 625 Henderson Station Road, Stoneboro, PA 16153.

This proposed facility is located in Mineral Township, **Venango 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.**

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

<i>NPDES Permit No.</i>	<i>Permittee Name &amp; 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>
PAI130007	Richland Township 1328 California Road Suite A Quakertown, PA 18951-4517	Richland Township Bucks County	Tohickon Unnamed Tributary to Unami Creek, Beaver Run, and Morgan Creek HQ-TSF, TSF, and MF	N	Y

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

<i>NPDES Permit No.</i>	<i>Permittee Name &amp; 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>
PAI133531	Greene Township Franklin County 1145 Garver Lane Scotland, PA 17254	Greene Township Franklin	Conococheague Creek, Cold Spring Run, Unnamed Tributary to Conococheague Creek, Mountain Run, Unnamed Tributary to Phillaman Run, Phillaman Run, and Stump Run/WWF, CWF, MF, and HQ-CWF	N	Y

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

<i>NPDES Permit No.</i>	<i>Permittee Name &amp; 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>
PAI136139	Municipality of Mount Lebanon 710 Washington Road Pittsburgh, PA 15228-2018	Municipality of Mount Lebanon Allegheny	Scrubgrass Run, Painters Run, and Unnamed Tributary to Sawmill Run/WWF	Y	Y
PAI136118	South Strabane Township 550 Washington Road Washington, PA 15301-9621	South Strabane Township Washington	Unnamed Tributaries of Chartiers Creek and Chartiers Creek/WWF and HQ-WWF	N	Y

#### **V. NPDES Waiver Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Actions.**

The following waiver applications have been approved for a 5-year period. The Department is issuing waivers for the following MS4s instead of NPDES permit coverage.

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

<i>NPDES Waiver No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG136265	Hanover Township 11 Municipal Drive Burgettstown, PA 15021-2277	Hanover Township Washington	Kings Creek Paris Run Hamon Creek/WWF and CWF
PAG136132	Dunlevy Borough P.O. Box 18 Dunlevy, PA 15432-0018	Dunlevy Borough Washington	Unnamed Tributaries to Monongahela River/WWF

#### **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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150100	By Design Homes, LLC 1505 Generals Way West Chester, PA 19380	Chester	East Whiteland Township	Ridley Creek HQ-TSF
PAD150093	Steve F. Lapp 2804 Compass Road Honey Brook, PA 19344	Chester	Honey Brook Township	Unnamed Tributary to Pequea Creek HQ-CWF-MF Two Log Run HQ-TSF-MF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD510031	Stadium Casino RE, LLC 601 East Pratt Street, 6th Floor Baltimore, MD 21202-3118	Philadelphia	City of Philadelphia	Delaware (Lower) 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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390102	Lehigh Parkway Apartments, LLC 2268 S. 12th St. Ste. 101 Allentown, PA 18103	Lehigh	City of Allentown	Little Lehigh Creek— HQ-CWF, MF
PAD390082	Signature Homes by J.T. Maloney P.O. Box 9 Center Valley, PA 18034	Lehigh	Lower Milford Township	Saucon Creek—HQ-CWF, MF and EV Wetlands
PAD390084	Harold Sensenig 4301 Harvest Rd. Manheim, PA 17545	Lehigh	Lynn Township	Switzer Creek HQ-CWF, MF
PAD390099	Devonshire Properties, LLC 1348 Hamilton St. Allentown, PA 18102	Lehigh	South Whitehall Township	Cedar Creek— HQ-CWF, MF
PAD390060	New Enterprise Stone & Lime Co., Inc./Eastern Industries, Inc. 3912 Brumbaugh Rd. New Enterprise, PA 16664	Lehigh	Lower Macungie Township	Cedar Creek— HQ-CWF, MF

*Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD400009	DCNR—Bureau of State Parks P.O. Box 8551 Harrisburg, PA 17105-8551	Luzerne County	Fairmount Township	Kitchen Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450072	Kenneth Schuchman P.O. Box 404 Marshalls Creek, PA 18335	Monroe	Smithfield Township	Candle Creek (HQ-CWF, MF)
PAD450060	Hirshland & Co. 1055 Westlakes Drive Suite 300 Berwyn, PA 19312	Monroe	Mount Pocono Borough	UNT Forest Hills Run HQ-CWF, MF Pocono Summit Lake HQ-CWF
PAD450064	CRE Bushkill Group, LLC P.O. Box 447 Bushkill, PA 18324	Monroe	Middle Smithfield Township	Sand Hill Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480077	MA Bushkill Holding, LLC c/o Mr. Rudy Amelio 1348 Hamilton Street Allentown, PA 18102	Northampton	Bushkill Township	UNT to Bushkill Creek (HQ-CWF, MF); EV Wetlands

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD180018 Previously PAI041813002	Henry Street Partnership C/O Jay Alexander 180 Henry Street Jersey Shore, PA 17740	Clinton	Pine Creek Twp	UNT to Pine Creek HQ-TSF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD560003	PennDOT District 9-0 1620 North Juniata Street Hollidaysburg, PA 16648	Somerset County	Brothersvalley Township	Tubs Run (CWF); UNT to Tubs Run (CWF); EV Wetlands Millers Run (CWF); UNT to Millers Run (CWF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD240006	City of St. Marys 11 Lafayette Street St. Marys, PA 15857	Elk	St. Marys City	Elk Creek CWF

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

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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).

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### **List of NPDES and/or Other General Permit Types.**

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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 &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bedminster Township Bucks County	PAC090225	Telvil Corporation 527 Main Street Harleysville, PA 19438-2267	Deep Run	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Doylestown Borough Bucks County	PAC090213	Provco Pinegood Doylestown South 795 East Lancaster Avenue Villanova, PA 19085-1525	WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bensalem Township Bucks County	PAC090206	Pennsylvania Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Unnamed Tributary Neshaminy Creek	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Richland Township Bucks County	PAC090194	American Heritage Federal Credit Union 2060 Red Lion Road Philadelphia, PA 19115-1603	Tohickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bensalem Township Bucks County	PAC090232	Bucks County Water & Sewer Authority (BCWSA) 1275 Almshouse Road Warrington, PA 18976	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Southampton Township Bucks County	PAC090211	Citadel Federal Credit Union 520 Eagleview Boulevard Exton, PA 19341-1119	Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Quakertown Borough and Richland Township Bucks County	PAC090205	Quakertown Community School District 100 Commerce Drive Quakertown, PA 18951	Tohickon Creek TSF-MF Licking Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Makefield Township Bucks County	PAC090235	Erin Development Company 301 Oxford Valley Road Suite 501A Yardley, PA 19067-7701	Rock Run Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Brookhaven Borough Delaware County	PAC230088	DiFiore Maxin Investments, LLC c/o Matt DiFiora 20 White Tail Drive Chadds Ford, PA 19312	Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Tinicum Township Delaware County	PAC230082	Expresspark, Inc. 900 East Second Street Essington, PA 19029-1539	Darby Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Worcester Township Montgomery County	PAC460317	Rotelle Development 1011 Ridge Road South Coventry, PA 19465	Zacharias Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Hanover Township Montgomery County	PAC460120	RP Wynstone, LP 2312 North Broad Street Colmar, PA 18915-9725	Minister Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Salford Township Montgomery County	PAC460305	Branch Creek Real Estate 266 Covenant Lane Harleysville, PA 19438	Unnamed Tributary to West Branch Skippack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Montgomery Township Montgomery County	PAC460215	FedEx Ground Package System Inc. 1000 Fedex Drive Moon Township, PA 15108	Trewelyn Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plymouth Township Montgomery County	PAC460256	1113 Ridge Associates, LLC 120 Pennsylvania Avenue Malvern, PA 19355	Plymouth Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Gwynedd Township Montgomery County	PAC460252	Prospect Acquisitions, LP 404 Sumneytown Pike Suite 200 North Wales, PA 19454	Wissahickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Hanover Township Montgomery County	PAC460307	Gambone Swamp Pike, LP 1030 W Germantown Pike Fairview Village, PA 19409	Tributary to Minister Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Douglass Township Montgomery County	PAC460135	Danny Jake Corporation 3625 Welsh Road Willow Grove, PA 19090	Minister Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Gwynedd Township Montgomery County	PAC460252	Prospect Acquisitions, LP 404 Sumneytown Pike Suite 200 North Wales, PA 19454	Wissahickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Perkiomen Township Montgomery County	PAC460279	Atlas Broadband Solutions, Inc. 800 Tristen Way Schwenksville, PA 19473-1459	Unnamed Tributary to Perkiomen Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAC460328	Faust Road, LLC 17 Faust Road Schwenksville, PA 19473	Swamp Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Skippack Township Montgomery County	PAC460255	Lynne C. & Chris T. Brockett 4753 Garges Road Schwenksville, PA 19473-2003	Unnamed Tributary to Skippack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Salford Township Montgomery County	PAC460281	Daniel Demeno 521 Arline Avenue Roslyn, PA 19001	Unnamed Tributary to East Branch Perkiomen Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAC460286	LBC Senior Living, LLC 3 Edgewater Drive Suite 101 Norwood, MA 02062	Gulley Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Upper Dublin Township Montgomery County	PAC460266	Upper Dublin Township 801 Loch Alsh Avenue Fort Washington, PA 19034-1651	Pine Run Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Cheltenham Township Montgomery County	PAC460292	Cheltenham Township 8230 Old York Road Elkins Park, PA 19027	Tacony Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510087	Dean Stephan and Vivian Stephan 446 West Chestnut Hill Avenue Philadelphia, PA 19118-4113	Wissahickon Creek MF-TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510104	Women's Community Revitalization Project 100 West Oxford Street Suite E2300 Philadelphia, PA 19122-3929	Frankford Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

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

**NPDES**

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC350049	Meadowbrook Energy LLC 1444 E Lackawanna Ave Ste 203 Olyphant, PA 18447	Lackawanna	Dunmore Boro Throop Boro	UNT to Eddy Creek (WWF, MF)

*Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.*

**NPDES**

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC400087	Pinecrest Mennonite Church Nelson Martin 117 Grange Hill Rd Shickshinny, PA 18655	Luzerne	Huntington Twp	UNT to Pine Creek (CWF, MF)

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

**NPDES**

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC480062	Brad Senick Moravian Village of Bethlehem 526 Wood St Bethlehem, PA 18018	Northampton	Bethlehem City	Lehigh River (WWF, MF) UNT to Lehigh River (CWF, MF)

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Standing Stone Twp Bradford Cnty	PAC080034	David Wolf Wolf Run Real Estate LLC 33 Wolf Run Lane Wysox, PA 18854	Vought Creek WWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
Town of Bloomsburg Columbia Cnty	PAC190032	John D Berger, III P.O. Box 623 Bloomsburg, PA 17815	Susquehanna River	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102

## NOTICES

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Loyalsock Twp Lycoming Cnty	PAC410036	Williamsport Home 1900 Ravine Rd Williamsport, PA 17701	UNT to Lycoming Creek WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Aspinwall Borough	PAC020314	Center Avenue Development Company, LLC 303 Freeport Road Unit B Aspinwall, PA 15215	Allegheny River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Jefferson Hills Borough	PAC020338	Environmentally Sound Enterprises, LLC 245 Summerlawn Drive Sewickley, PA 15143	UNT to Peters Creek (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Upper Saint Clair Township	PAC020143	Spyglass Land Partners, LLC 1226 Mayview Road Pittsburgh, PA 15241	UNT to Chartiers Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Findlay Township	PAC020154	Maronda Foundation 11 Timberglen Drive Imperial, PA 15126	UNT to Raredon Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of McKeesport	PAC020140	Pure Penn, LLC 310 Grant Street Suite 2500 Pittsburgh, PA 15219	Monongahela River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Upper Saint Clair Township	PAC020091	Saint Clair Country Club 2300 Old Washington Road Pittsburgh, PA 15241	McLaughlin Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645



## NOTICES

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Robinson Township	PAC020256	Duquesne Light Company 2825 New Beaver Avenue Pittsburgh, PA 15233	UNT to Montour Run (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
North Fayette Township	PAC020324	North Fayette Township 400 North Branch Road Oakdale, PA 15071	Half Crown Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Moon Township	PAC020339	Mr. Campbell Lewis Hutton Street 17, LLC 736 Cherry Street Chattanooga, TN 37402	UNT to Ohio River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
West Deer Township	PAC020351	Chase Development, LLC 13 Dewey Street Gibsonia, PA 15044	Little Deer Creek (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh	PAC020342	University of Pittsburgh 3400 Forbes Avenue Eureka Building Pittsburgh, PA 15260	Allegheny River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Plum Borough	PAC020328	Mr. Matt Massarelli 3404 Universal Road Pittsburgh, PA 15235	Plum Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Richland Township	PAC020325	Camille Holdings, LLC 129 West 29th Street New York, NY 10001	West Branch Deer Creek (CWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Municipality of Monroeville	PAC020355	Widewaters Monroeville Company, LLC 5786 Widewaters Parkway Dewitt, NY 13214	Turtle Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Rankin Township	PAC020329	Redevelopment Authority of Allegheny County One Chatham Center Suite 900 Pittsburgh, PA 15219	Monongahela River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Municipality of Monroeville	PAC020302	Sampson Morris Group 2500 Eldo Road Monroeville, PA 15146	Thompson Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh	PAC020360	TWG Development, LLC 333 North Pennsylvania Street Suite 100 Indianapolis, IN 46204	Monongahela River (WWF-N)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh	PAC020234	Lore PPA, BKSQ3, Parcel D, LLC 5500 Walnut Street Suite 300 Pittsburgh, PA 15232	Allegheny River (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Robinson Township	PAC20296	Al Neyer, Inc. 302 West Third Street Suite 800 Cincinnati, OH 45202	Chartiers Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Municipality of Monroeville	PAC020166	A & L Motor Sales 3780 William Penn Highway Monroeville, PA 15146	Thompson Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Moon Township	PAC020348	Foltz Development Corporation 1064 Surrey Woods Drive Canonsburg, PA 15317	Flaugherty Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
South Fayette Township	PAC020321	JSF Management LLC 100 Dunbar Street Suite 400 Spartanburg, SC 29306	Chartiers Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
McCandless Township	PAC020333	North Allegheny School District 400 Hillvue Lane Pittsburgh, PA 15237	Little Pine Creek (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Brothersvalley Township	PAC560024	Thomas D. McClintock 104 Samuels Road Somerset, PA 15501	Laurel Run (WWF)	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Peters Township	PAC630077	Peters Township School District 631 East McMurray Road McMurray, PA 15317	UNTs to Brush Run (WWF)	Washington County Conservation District Suite 1 50 Old Hickory Ridge Road Washington, PA 15301 (724) 705-7098
Houston Borough North Strabane Township	PAC630113	Howard Concrete Pumping, LP 701 Millers Run Road Cuddy, PA 15031	Chartiers Creek (WWF)	Washington County Conservation District Suite 1 50 Old Hickory Ridge Road Washington, PA 15301 (724) 705-7098
Morris Township	PAC630119	Columbia Gas of Pennsylvania 2021 West State Street New Castle, PA 16101	UNT to Short Creek (WWF); Short Creek (WWF)	Washington County Conservation District Suite 1 50 Old Hickory Ridge Road Washington, PA 15301 (724) 705-7098

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster Township Butler County	PAC100107	Arden Woods LLC 215 Executive Drive Suite 300 Cranberry Township, PA 16066	UNT to Little Connoquenessing Creek CWF, UNT to Scholars Run WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
Cranberry Township Butler County	PAC100136	Sampson Morris Group Mr. David Sarver 2500 Eldo Road Monroeville, PA 15146	UNT to Brush Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
Cranberry Township Butler County	PAC100106	IP Nuvo Development LLC Mrs. Tonya Mellen 200 East New England Ave Suite 110 Winter Park, FL 32789	UNT to Brush Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
City of St. Marys Elk County	PAC240007	National Fuel Gas Distribution Corp 1100 State Street Erie, PA 16501	Elk Creek CWF	Elk County Conservation District 850 Washington Street St. Marys, PA 15857 814-776-5373

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Monroe Township Clarion County	PAC160021	Plum Contracting 864 Croft Road Greensburg, PA 15601	Courtleys Run WWF	Clarion County Conservation District 217 S 7th Avenue Room 106A Clarion, PA 16214 814-297-7813
St. Petersburg Borough Clarion County	PAC160020	St. Petersburg Municipal Authority P.O. Box 235 St. Petersburg, PA 16054	UNT Clarion River CWF	Clarion County Conservation District 217 S 7th Avenue Room 106A Clarion, PA 16214 814-297-7813
<i>General Permit Type—PAG-3</i>				
<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Falls Township Bucks County	PAR210014	Silvi Concrete Products, Inc. 355 Newbold Road Fairless Hills, PA 19030	Rock Run 2-E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
East Caln Township Chester County	PAR210032	Silvi Concrete Products, Inc. 355 Newbold Road Fairless Hills, PA 19030	East Branch Brandywine Creek 3-H	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Upper Pottsgrove Township Montgomery County	PAG130107	Upper Pottsgrove Township 1409 Farmington Road Pottstown, PA 19464	Unnamed Tributary to Manatawny Crk & Unnamed Tributary of Manatawny Creek 3-D	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Caln Township Chester County	PAG130053	Caln Township P.O. Box 72149 253 Municipal Drive Thorndale, PA 19372-0149	Unnamed Tributary to Beaver Creek, Beaver Creek, East Branch Brandywine Creek, Unnamed Tributary of Beaver Creek and Unnamed Tributary of West Branch Brandywine Creek 3-H	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
New Hanover Township Montgomery County	PAG130020	New Hanover Township 2943 N Charlotte Street Gilbertsville, PA 19372-0149	Unnamed Tributary to Minister Creek, Unnamed Tributary to Swamp Creek, Unnamed Tributary to Sanatoga Creek, Scioto Creek, Middle Creek and Minister Creek 3-D & 3-E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970
Pottstown Borough Montgomery County	PAG130033	Pottstown Borough Authority 100 East High Street Pottstown, PA 19464	Schuylkill River and Manatawny Creek 3-D	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970



*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Frankstown Township Blair County	PAG033587	Auto Wholesalers Truck & Equipment Sales Inc. P.O. Box 445 216 Wholesalers Road Hollidaysburg, PA 16648	Unnamed Tributary to Frankstown Branch Juniata River in Watershed(s) 11-A	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Greencastle Borough Franklin County	PAS203504	Contech Engineered Solutions LLC 9025 Centre Pointe Drive Suite 400 West Chester, OH 45069-4987	Unnamed Tributary to Muddy Run in Watershed 13-C	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Wall Borough Allegheny County	PAG036241	Rail Management Svcs 701 Wall Avenue Wall, PA 15148	Turtle Creek—19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Canonsburg Borough Washington County	PAG036234	C & C Concrete dba Donaldson Supply Co. 40 Murdock Street Canonsburg, PA 15317-1310	Chartiers Creek—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Fredonia Borough Mercer County	PAG038375	Oldcastle APG Northeast Inc. 336 Newman Springs Road Red Bank, NJ 07701	Mill Run—20-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942
Williams Township Northampton County	PAG032247	Easton Area Metal Recycling P.O. Box 908 Allentown, PA 18105	Unnamed Tributary to Delaware River—02C	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511

*General Permit Type—PAG-10**Facility Location  
Municipality &  
County*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
South Huntingdon Township Westmoreland County	PAG106216	Laurel Mountain Midstream Operations LLC 111 Enterprise Lane Connellsville, PA 15425	Unnamed Tributary to Youghiogheny River—19-D	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-13**Facility Location  
Municipality &  
County*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Newtown Township Bucks County	PAG130057	Newtown Borough 23 N State Street Newtown, PA 18940-2026	Newtown Creek 2-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970

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

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Duboistown Borough Lycoming County	PAG134807	Duboistown Borough 2651 Euclid Avenue Duboisstown, PA 17702-6754	Mosquito Creek—10-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Houston Borough Washington County	PAG136213	Houston Borough 42 Western Avenue Houston, PA 15342-1551	Chartiers Run Plum Run Chartiers Creek 20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Hopewell Township Beaver County	PAG136178	Hopewell Township 1700 Clark Boulevard Aliquippa, PA 15001	Logtown Run, Racoon Creek, Trammill Run and unnamed tributaries to the above as well as tributaries to Elkhorn Run, Boggs Run and Ohio River 20-G and 20-D All WWF	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

### STATE CONSERVATION COMMISSION

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Franklin Family Farms Longacre Farm Path Valley Rd Dry Run, PA 17021	Franklin	69	603.34	Swine	N/A	Approved
Dale Stoltzfus 160 Farm View Rd Schuylkill Haven, PA 17972	Schuylkill	348.4	274.43	Ducks/Beef	NA	Approved

<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>
Jairus Musser 95 Ferebees Rd Pine Grove, PA 17963	Schuylkill	83.5	394.95	Broilers	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 2318508, Public Water Supply.**

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Springfield
County	<b>Delaware</b>
Type of Facility	PWS
Consulting Engineer	Gannett Fleming, Inc. P.O. Box 67100 Harrisburg, PA 17106
Permit to Construct Issued	January 9, 2019

**Operations Permit No. 1518505** issued to: **Aqua Pennsylvania Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3402, **PWS ID # 1150035**, Upper Uwchlan Township, **Chester County** on January 10, 2019 for the operation of ammonium sulfate at the Milford Well Station approved under construction permit # 1518505.

**Operations Permit No. 1518507** issued to: **Aqua Pennsylvania Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3402, **PWS ID # 1150035**, East Caln Township, **Chester County** on January 10, 2019 for the operation of ammonium sulfate at the Bell Tavern Well Station approved under construction permit # 1518507.

**Operations Permit No. 1518508** issued to: **Aqua Pennsylvania Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3402, **PWS ID # 1150035**, West Whiteland Township, **Chester County** on January 10, 2019 for the operation of ammonium sulfate at the Robert Dean Well Station approved under construction permit # 1518508.

**Operations Permit No. 11518509** issued to: **Aqua Pennsylvania Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3402, **PWS ID # 1150035**, West Whiteland Township, **Chester County** on January 10, 2019 for the operation of ammonium sulfate at the Hillside Well Station approved under construction permit # 1518509.

**Operations Permit No. 1518511** issued to: **Aqua Pennsylvania Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3402, **PWS ID # 1150035**, Upper Uwchlan Township, **Chester County** on January 10, 2019 for the operation of ammonium sulfate at the Stonehedge Well Station approved under construction permit # 1518511.

**Operations Permit No. 4617514** issued to: **Pottstown Borough Authority**, 100 East High Street, Pottstown, PA 19464, **PWS ID # 1460037**, Pottstown Borough, **Montgomery County** on January 7, 2019 for the operation of installation of a tank mixer in the New Hanover Square Tank approved under construction permit # 4617514.

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

**Permit No. 3618513, Minor Amendment, Public Water Supply.**

Applicant	<b>Wawa Incorporated</b>
Municipality	Salisbury Township
County	<b>Lancaster</b>
Responsible Official	Brian Schaller, Senior VP—Chief Fuel & Real Estate Officer 260 West Baltimore Pike Media, PA 19063

Type of Facility New transient noncommunity water system consisting of one (1) groundwater well rated for 7.5 gpm, softening, reverse osmosis (RO) for reduction of total dissolved solids (TDS), sodium hypochlorite disinfection, and pH adjustment with sodium carbonate (soda ash).

Consulting Engineer Jeremy S. Madaras, P.E.  
J.S. Madaras Consulting LLC  
250 Indian Lane  
Boyertown, PA 19512

Permit to Construct Issued 12/31/2018

**Permit No. 2818509, Minor Amendment, Public Water Supply.**

Applicant **Roxbury Dollar General**

Municipality Letterkenny Township

County **Franklin**

Responsible Official Trent Stumbaugh, Contract Water Operator  
28 Sarah Susan Lane  
Greencastle, PA 17225

Type of Facility One (1) new groundwater well, carbon filter with aeration for turbidity removal and sodium hypochlorite disinfection with 4-log treatment of viruses.

Consulting Engineer Joseph M. McDowell, P.E.  
Martin & Martin, Inc.  
37 S Main Street  
Suite A  
Chambersburg, PA 17201

Permit to Construct Issued 1/9/2019

**Permit No. 3618522 MA, Public Water Supply.**

Applicant **Mount Joy Borough Authority**

Municipality Mount Joy Borough

County **Lancaster**

Responsible Official Joseph M. Ardini, Assistant Manager  
21 East Main Street  
Mount Joy, PA 17552

Type of Facility Refinishing and repainting of the existing Lumber Street finished water storage tank.

Consulting Engineer Matthew D. Warfel  
The ARRO Consulting, Inc.  
108 West Airport Road  
Lititz, PA 17543

Permit to Construct Issued 1/14/2019

**Permit No. 3119501 MA, Minor Amendment, Public Water Supply.**

Applicant **Warriors Mark General Authority**

Municipality Warriors Mark Township

County **Huntingdon**

Responsible Official Terry Ellenberger, President  
P.O. Box 122  
Warriors Mark, PA 16877

Type of Facility The Warriors Mark General Authority (Authority) has submitted a PWS permit application for the approval to rehabilitate the existing 225,000-gallon, Edgewood Finished Water Storage Tank. The Authority plans to reseal all of the exterior panel seams of the Edgewood Tank in order to fix any existing leaks and prevent future leaks from occurring.

Consulting Engineer Kerry D. Tyson, P.E.  
Nittany Engineering & Associates LLC  
2836 Earlstown Road  
Centre Hall, PA 16828

Permit to Construct Issued 1/14/2019

**Operation Permit No. 6717509 MA** issued to: **Dillsburg Area Authority (PWS ID No. 7670071)**, Franklin Township, **York County** on 1/17/2019 for facilities submitted under Application No. 6717509 MA.

**Operation Permit No. 3418502** issued to: **McAlisterville Area Joint Authority (PWS ID No. 4340002)**, Fayette Township, **Juniata County** on 1/15/2019 for facilities approved under Construction Permit No. 3418502.

**Operation Permit No. 6718511 MA** issued to: **SUEZ Water Pennsylvania (PWS ID No. 7670061)**, **York County** on 1/14/2019 for facilities approved under Construction Permit No. 6718511 MA.

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

**Permit No. 0889501-T2 & GWR-T1—Operation—** Public Water Supply.

Applicant **PA 2018 Town and Country, LLC**

Township/Borough Troy Township

County **Bradford County**

Responsible Official Gray Gilchrist, Associate  
dba PA 2018 Town and Country, LLC  
1400 Belleville Street  
Richmond, VA 23230

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued January 16, 2019

Description of Action Authorizes the PA 2018 Town and Country, LLC public water supply system and 4-log inactivation of viruses at Entry Point 101.



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

**Permit No. 0418519, Public Water Supply.**

Applicant **Ambridge Water Authority**  
 P.O. Box 257  
 600 Eleventh Street  
 Ambridge, PA 15003

[Borough or Township] Ambridge Borough

County **Beaver**

Type of Facility Sludge removal system

Consulting Engineer NIRA Consulting Engineers, Inc.  
 950 Fifth Avenue  
 Coraopolis, PA 15108

Permit to Construct/Operate  
 Issued January 11, 2019

**Operations Permit** issued to: **Pittsburgh Water & Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222 (**PWSID # 5020038**), City of Pittsburgh, **Allegheny County** on January 18, 2019 for the operation of facilities approved under Construction Permit # 0218536MA.

**Operations Permit** issued to: **Pittsburgh Water & Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222 (**PWSID # 5020038**), City of Pittsburgh, **Allegheny County** on January 18, 2019 for the operation of facilities approved under Construction Permit # 0218539MA.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672 (**PWSID # 5260036**), Mount Pleasant Township, **Westmoreland County** on January 12, 2019 for the operation of facilities approved under Construction Permit # 2618505MA.

**Operations Permit** issued to: **Somerset County General Authority**, 300 North Center Avenue, Suite 500, Somerset, PA 15501 (**PWSID # 4560009**), Jenner Township, **Somerset County** on January 12, 2019 for the operation of facilities approved under Construction Permit # 5617507MA.

**Operations Permit** issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701 (**PWSID # 5320109**), Young Township, **Indiana County** on January 11, 2019 for the operation of facilities approved under Construction Permit # 3217512-A1.

**Operations Permit** issued to: **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701 (**PWSID # 5320007**), Green Township, **Indiana County** on January 11, 2019 for the operation of facilities approved under Construction Permit # 3217510-A1.

**Operations Permit** issued to: **Southwestern Pennsylvania Water Authority**, P.O. Box 187, 1442 Jefferson Road, Jefferson, PA 15344 (**PWSID # 5300017**), Cumberland Township, **Greene County** on January 14, 2019 for the operation of facilities approved under Construction Permit # 3016509.

**Operations Permit** issued to: **Creswell Heights Joint Water Authority**, 3961 Jordan Street, P.O. Box 301, South Heights, PA 15081 (**PWSID # 5040063**), South Heights Borough, **Beaver County** on January 18, 2019 for the operation of facilities approved under Construction Permit # 0417503MA-1.

**Permit No. 3018516MA, Minor Amendment. Public Water Supply.**

Applicant **Southwestern Pennsylvania Water Authority**  
 P.O. Box 187  
 1442 Jefferson Road  
 Jefferson, PA 15344

[Borough or Township] Whiteley Township

County **Greene**

Type of Facility Mount Morris Road waterline project

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

Permit to Construct  
 Issued January 12, 2019

**Permit No. 0418516MA, Minor Amendment. Public Water Supply.**

Applicant **Beaver Falls Municipal Authority**  
 1425 8th Avenue  
 Beaver Falls, PA 15010

[Borough or Township] Eastvale Borough

County **Beaver**

Type of Facility Water system

Consulting Engineer Entech Engineering  
 400 Rouser Road  
 Building # 2  
 Suite 200  
 Coraopolis, PA 15108

Permit to Operate  
 Issued January 15, 2109

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

**Operation Permit** issued to **Borough of Edinboro Water Authority, PWSID No. 6250832**, Edinboro Borough, **Erie County**. Permit Number 2516501-Interim 1 issued January 15, 2019 for the interim operation of the water treatment plant. This permit is issued in response to the requisite bacteriological samples and completed Certificate of Construction/Modification Form received by the Department on October 30, 2018 and pre-operation inspections conducted by the Department on November 7, 2018 and December 17, 2018. This interim operation permit expires on February 28, 2019 or upon issuance of the final operation permit No. 2516501, whichever comes first.

**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.**

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

*Plan Location: Mahoning, Cooper, and Valley Townships, and Danville Borough, Montour County.*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Mahoning Township	849 Bloom Rd. Danville, PA 17821	Montour

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Cooper Township	19 Steltz Rd. Danville, PA 17821	Montour
Valley Township	5 Indian Run Rd. Danville, PA 17821	Montour
Danville Borough	239 Mill St. Danville, PA 17821	Montour

*Plan Description:* The plan provides for the sale of Mahoning Township's sewage-collection system to SUEZ Water Pennsylvania, Inc. The collection system serves populated areas of Mahoning Township to the east of Danville Borough and from US-11 to the north, along with very small areas within Cooper Township, Valley Township, and Danville Borough. There is no intent in this plan to change the existing sewer service boundary, and no construction is proposed. The proposed purchase price is \$9.5 million, which includes both the sewage system and the water system. No significant environmental or historical impacts were identified in the review of the plan.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some 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.*

**Siniawa Plaza I**, 809-865 Scranton-Carbondale Highway, Dickson City Borough, **Lackawanna County**. Barry Isett & Associates, 1170 Highway 315, Suite 3, Wilkes-Barre, PA 18702, on behalf of Dean SAI One Enterprises LLC, 1592 State Route 739, Suite 2, Dingmans Ferry, PA 18328, submitted a final report concerning remediation of site soil contaminated with heating oil from an underground storage tank. The report is intended to document remediation of the site to meet Statewide Health Standards.

**B. Augustine Pad 1**, 4900 State Route 3013, Springville 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 drill cuttings and diesel-based drilling fluid to soil. The report is intended to document remediation of the site to meet a combination of Background and Statewide Health Standards.

**Bluegrass SUS Well Pad**, 225 Hibbard Road, Rush Township, **Susquehanna County**. Leidos, 6310 Allentown Boulevard, Suite 110, Harrisburg, PA 17112, on behalf of Chesapeake Appalachia LLC, 300 North 2nd Street, 5th Floor, Harrisburg, PA 17101, submitted a Final Report concerning remediation of a release of produced water (brine) to soil. The report is intended to document remediation of the site to meet Statewide Health Standards.

**Choconut Valley Elementary School**, 4458 Stanley Lake Road, Choconut Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on behalf of Montrose Area School District, 273 Meteor Way, Montrose, PA 18801, submitted a combined Remedial Investigation Report and Final Report concerning remediation concerning remediation of site soil and groundwater contaminated with gasoline from an underground storage tank. The report is intended to document remediation of the site to meet a combination of Site-Specific and Statewide Health Standards.

**Former Mack Truck Assembly Plant 5A**, South 12th Street, City of Allentown, **Lehigh County**. Brinkerhoff Environmental Services Inc., 1805 Atlantic Avenue, Manasquan, NJ 08736, on behalf of Mack Trucks Inc., 7900 National Service Road, Greensboro, NC 27409, submitted a final report concerning remediation of site soils contaminated with metals due to historic use at the site. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Former Bridges Market**, 582 Route 183, Wayne Township, **Schuylkill County**. United Environmental Services Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of Herman Clauser, 105 Schuylkill Mountain Road, Schuylkill Haven, PA 17972, submitted a revised final report concerning remediation of site soils and groundwater contaminated with Naphthalene, Ethylbenzene, and MTBE. The report is intended to document remediation of the site to meet Statewide Health Standards.

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

**LKO Transport Diesel Release/Flying J # 518**, 2210 Camp Swatara Road, Myerstown, PA 17067, Bethel Township, **Berks County**. Taylor GeoServices, Inc., 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073 and Sovereign Consulting, Inc., 359 Northgate Drive, Suite 400, Warrendale, PA 15086, on behalf of LKO Transport, LLC, 9013 Ellenbrook Street, Las Vegas, NV 89148-49820; EPS of Vermont, Inc., 1539 Bobali Drive, Harrisburg, PA 17104; and Pilot/Flying J (PFJ Southeast, LLC # 518), 5508 Lonas Drive, Knoxville, TN 37909, submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Former Firestone Motors Site**, 330 South 3rd Street, Lemoyne, PA 17043, Borough of Lemoyne, **Cumberland County**. BL Companies, 4242 Carlisle Pike, Camp Hill, PA 17011, on behalf of Macy Holdings, LLC, 700 Ayers Avenue, Lemoyne, PA 17043, submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with inorganics and PAHs. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Allegheny Veterinary Hospital**, 110 North Jefferson Street, Mt. Union, PA 17066, Borough of Mt. Union, **Huntingdon County**. McKee Environmental, Inc., 86 Quartz Drive, on behalf of Allegheny Veterinary Hospital, 110 North Jefferson Street, Mt. Union, PA 17066, submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Penn Tank Lines Diesel Release**, ROW Adjacent to 342 Stoner Road, Mechanicsburg, PA 17055, Monroe Township, **Cumberland County**. Taylor Geoservices, Inc., 38 Bishop Hollow Road, Newtown Square, PA 19073, on behalf of Penn Tank Lines, Inc., 3000 Lionville Station Road, Chester Springs, PA 19425, and PennDOT Engineering District 8, 2140 Herr Street, Harrisburg, PA 17103-1699 submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Holtzman Oil Corp./Reiff Property**, Off Woodstock Road at I-81 SB, Chambersburg, PA 17254, Greene Township, **Franklin County**. Patriot Environmental Management, LLC, 2404 Brown Street, Pottstown, PA 19464, on behalf of Holtzman Oil Corporation, 5534 North Main Street, Mount Jackson, VA 22842, and Elam Reiff, 275 Goodhart Road, Shippensburg, PA 17257 submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

**Sisters of Saints Cyril and Methodius**, 1002 Railroad Street, Danville Borough and Mahoning Township, **Montour County**. Molesevich Environmental, LLC, P.O. Box 654, Lewisburg, PA 17837, on behalf of Sisters of Saints Cyril & Methodius, 1002 Railroad Street, Danville, PA 17821, has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is in-

tended to document remediation of the site to meet the Statewide Health Standard for groundwater and Site-Specific Standard for soil.

## 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:

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

**Dwight Wagner Property**, 631 Scotland Road, Quarryville, PA 17566, East Drumore Township, **Lancaster**



**County.** Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Dwight Wagner, 1250 Lampeter Road, Lancaster, PA 17602, submitted a Final Report concerning remediation of soil contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on January 9, 2019.

**Brookside Mobile Home Park,** 1065 South Eisenhower Boulevard, Middletown, PA 17057, Lower Swatara Township, **Dauphin County.** Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038, on behalf of Patriot Holdings, LLC, 4023 Dean Martin Drive, Las Vegas, NV 89103, and Jason Kelso, Esquire, 2 West High Street, Carlisle, PA 17013, submitted a Final Report concerning remediation of site soil contaminated with leaded and unleaded gasoline. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on January 11, 2019.

**Edward Ridings Property,** 1 Pine Lane, Lewistown, PA 17044, Derry Township, **Mifflin County.** DMS Environmental Services, LLC, 103 South Spring Street, Bellefonte, PA 16823, on behalf of Edward Ridings, 1 Pine Lane, Lewistown, PA 17044, submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on January 11, 2019.

**Former Unitas National Bank,** 501 Penn Street, Huntingdon, PA 16652, Huntingdon Borough, **Huntingdon County.** CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101, on behalf of First Commonwealth Bank, 111 South Main Street, P.O. Box 760, Greensburg, PA 15601, submitted Risk Assessment, Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The combined Report was administratively incomplete and was disapproved by the Department on January 17, 2019.

**Speedway # 6719,** 1070 Lincoln Highway, Chambersburg, PA 17201, Chambersburg Borough, **Franklin County.** EMS Environmental, Inc., 4550 Bath Pike, Bethlehem, PA 18014, on behalf of Speedway LLC, 500 Speedway Drive, Enon, OH 45323, submitted a Final Report concerning site soil contaminated with unleaded gasoline. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard and was disapproved by the Department on January 17, 2019.

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

**EQT Phoenix Pad C Methanol Release,** 782 Antrim Road, Wellsboro, Duncan Township, **Tioga County.** Groundwater Sciences Corporation, 2601 Market Place, Suite 310, Harrisburg, PA 17110, on behalf of EQT Production Company, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222, has submitted a final report concerning remediation of site soil contaminated with methanol. The report is intended to document remediation of site to meet the Statewide Health Standard for soil. The final report demonstrated attainment of the Statewide Health Standard for soil and was approved by the Department on January 9, 2019.

**Guillaume 714 Well Pad,** 10562 Route 414, Liberty Township, **Tioga County.** Civil & Environmental Consultants, 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of Rockdale Marcellus, LLC, 4600 J Barry Court, Suite 120, Canonsburg, PA 15317, has submitted a Final Report

concerning site soil contaminated with drilling mud. The report demonstrated attainment of a Background Standard for Vanadium and the Statewide Health Standard for the other drilling mud constituents for residential use; it was approved by the Department on January 11, 2019.

**Repsol Oil & Gas USA, LLC,** Blake Road, Blossburg, Covington Township, **Tioga County.** Golder Associates, Inc., 209 North Main Street, Suite 3, Horseheads, NY 14845, on behalf of Repsol Oil & Gas USA, LLC, 37 Daniel Zenker Drive, Horseheads, NY 14845, has submitted a Final Report concerning remediation of site soil contaminated with gear oil. The report demonstrated attainment of the Statewide Health Standard for Residential use and was approved by the Department on January 18, 2019.

**State Route 15 Southbound,** Allenwood, Gregg Township, **Union County.** Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Fought's Disposal Service, Inc., 2705 Snyder Avenue, Bloomsburg, PA 17815, has submitted a final report concerning remediation of site soil contaminated with diesel fuel. The final report demonstrated attainment of the Statewide Health Standard for Non-Residential use and was approved by the Department on January 10, 2019.

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

**ARG Refinery,** 77 North Kendall Avenue, City of Bradford, **McKean County.** Wood Environmental & Infrastructure Solutions, Inc, 4600 J. Barry Court, Suite 210, Canonsburg, PA 15317, on behalf of American Refining Group, 77 North Kendall Avenue, Bradford, PA 16701, submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with 1,2,4-trimethylbenzene, benzene, toluene, total xylenes, 2-methylnaphthalene, benzo[a]anthracene, anthracene, chrysene, benzidine, dibenzo[a,h]anthracene, naphthalene, benzo[a]pyrene, dibenzofuran, fluorene, antimony, arsenic, iron, lead, manganese, thallium, mercury, zinc and site groundwater contaminated with 1,1-dichloroethane, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 2-butanone (MEK), 2-hexanone, benzene, chloroform, cis-1,2-dichloroethene, ethylbenzene, isopropylbenzene, methyl tert-butyl ether, n-propylbenzene, tetrachloroethene, toluene, total xylenes, trichloroethene, vinyl chloride, 2-methylnaphthalene, benzidine, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, bis[2-ethylhexyl]phthalate, dibenzofuran, indeno[1,2,3-cd]pyrene, naphthalene, pentachlorophenol, pyrene, aluminum, antimony, arsenic, barium, beryllium, cobalt, copper, iron, manganese, mercury, nickel (oxides), thallium, vanadium, and zinc. The Report was disapproved by the Department on January 10, 2019.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

**Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101–6018.1003) and regulations to transport hazardous waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.*

*New Applications Received*

**Ace Environmental Holdings, LLC,** 4420 East Eager Street, Baltimore, MD 21205. License No. PA-AH 0882. Effective Jan 14, 2019.



**Approved Storage & Waste Hauling MA, Inc.**, 110 Edison Ave, Mt. Vernon, NY 10550. License No. PA-AH 0885. Effective Jan 17, 2019.

*New Hazardous Waste Transporter License Issued*

**Ace Environmental Holdings, LLC**, 4420 East Eager Street, Baltimore, MD 21205. License No. PA-AH 0882. Effective Jan 16, 2019.

**Approved Storage & Waste Hauling MA, Inc.**, 110 Edison Ave, Mt. Vernon, NY 10550. License No. PA-AH 0885. Effective Jan 17, 2019.

**R & J Trucking, Inc.**, 8063 Southern Blvd., Youngstown, OH 44512. License No. PA-AH 0880. Effective Jan 17, 2019.

### REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

**Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.**

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170.*

*Regulated Medical and Chemotherapeutic Waste Transporter License Issued*

**FECC, Inc.**, 3652 Old Winter Garden Rd, Orlando, FL 32805. License No. PA-HC 0278. Effective Jan 18, 2019.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permits issued under the Solid Waste Management Act of July 7, 1980, P.L. 380, 35 P.S. §§ 6018.101—6018.1003, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate a Solid Waste Processing or Disposal Area or Site.**

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

**Permit ID No. 101691. Triumvirate Environmental of Pittsburgh, Inc.**, 200 Inner Belt Road, Somerville, MA 021432. Permit for renewal of a regulated medical waste processing facility permit for the Jeannette ICW Processing Facility in Penn Township, **Westmoreland County** was issued by the Regional Office on January 16, 2019.

### AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

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

**GP3-09-0158: Mount Materials** (100 Pipe Mill Rd, Fairless Hills, PA 19030-5015) On January 22, 2019 for one (1) unit consisting of an Impact Crusher Plant with five (5) units of Conveyors in Falls Township, **Bucks County**.

**GP11-09-0065: Mount Materials** (100 Pipe Mill Rd, Fairless Hills, PA 19030-5015) On January 22, 2019 for two Units of Nonroad Diesel Engines (C18 ATAAC and C15 ATAAC) in Falls Township, **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.*

**GP14-64-001: Brian Arthur Strauch Funeral & Cremation Services, LLC** (3 First Street, Spring Brook, PA 18444) on January 14, 2019, for the operation of human crematories controlled by after burner at the facility located in Lehigh Township, **Wayne County**.

**GP3-48-028: Techo-Bloc** (852 Pennsylvania Avenue, Pen Argyl, PA 18072) on January 4, 2019 for the operation of a crusher at the site located in Plainfield Twp., **Northampton County**.

**GP9-48-028: Techo-Bloc** (852 Pennsylvania Avenue, Pen Argyl, PA 18072) on January 4, 2019 for the operation of a Diesel IC Engine at the site located in Plainfield 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.*

**GP3-06-03110F: The H&K Group, Inc.** (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on January 11, 2019, for portable nonmetallic mineral processing equipment, under GP3, at the Pottstown Trap Rock Quarry, in Douglass Township, **Berks County**.

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

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

**GP5-03-00230C: Peoples Natural Gas Company, LLC** (1201 Pitt Street, Pittsburgh, PA 15221) on January 9, 2019, to authorize the continued operation of two (2) 630 bhp Caterpillar natural gas-fired engines and a dehydration unit rated at 10.0 MMSCD controlled by a thermal oxidizer for a fixed period of 5 years at their Belknap Compressor Station located at 355 Belknap Road in Wayne Township, **Armstrong County**.

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

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

**GP5-P10-370F: MarkWest Liberty Trillith Comp Station** (1515 Arapahoe St., Tower 1, Ste 1600, Denver, CO 80202) on December 26, 2018, for the authority to operate a 2,590 bhp and a 4,000 bhp 4-stroke lean burn (4SLB) natural gas fired compressor engine(s) and associated oxidation catalysts (BAQ-GPS/GP5) located at their facility in Lancaster Township, **Butler County**.

**GP5-20-300C: Kastle Resources, Foulk Comp Station** (P.O. Box 1085, Wooster, OH 44691) on December 31, 2018, for the authority to continue operation of their

existing Foulk Compressor Station facility (BAQ-GPS/GP5) located at their facility in Beaver Township, **Crawford County**.

**GP3-37-350C and GP11-37-350F: Amerikohl Aggregates, Inc.—Gardner Mine** (1384 State Route 711, Stahlstown, PA 15687) on January 2, 2019, for the authority to construct a second portable nonmetallic mineral processing plant consisting of three crushers, two vibratory screen, and 17 conveyors and a CAT 3512 engine (BAQ-GPS/GP3 and GP11) located at their facility in Wayne Township, **Lawrence County**.

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**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.**

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

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

**46-0288A: Anderson Prints LLC** (465 Devon Park Dr, Wayne, PA 19087-1815) On January 22, 2019 for the installation of two (2) rotary screen presses, designated as Source ID 104 (Nine-Color Rotary Screen Press) and Source ID 105 (One-Color Rotary Screen Press) located in West Norriton Township, **Montgomery County**.

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

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

**42-158R: Georgia Pacific Panel Products LLC** (149 Temple Dr., Kane, PA 16735), on January 2, 2019 issued a Plan Approval for the proposed alternative operating scenario for the MDF Geka Coen Burner (Source 134M); changes to sources subject to RACT II requirements; and permit changes to correct errors and omissions to the operating permit in Sergeant Township, **McKean County**. This is a Title V facility.

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**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.**

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

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

**09-0227: Central Bucks Crematory** (344 N Main St, Doylestown, PA 18901-3715) On January 15, 2019 for the installation of a new human crematory in Doylestown Borough, **Bucks County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

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

**36-05015H: Dart Container Corporation of PA** (60 East Main Street, Leola, PA 17540) on January 11, 2019, for the construction of new extrusion and thermoforming lines and construction of new equipment for the recycling

of consumer EPS scrap at the facility located in Upper Leacock Township, **Lancaster County**. The plan approval was extended.

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

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

**60-00019A: Playworld Systems, Inc.** (1000 Buffalo Road, Lewisburg, PA 17837) on January 14, 2019, to extend the plan approval expiration date to August 2, 2019 to allow continued operation of a fluidized bed cleaning system at their Lewisburg Plant located in Buffalo Township, **Union County**.

**14-00002N: Graymont (PA), Inc.** (965 East College Avenue, Pleasant Gap, PA 16823) extended the authorization from January 31, 2019 to July 30, 2019, to permit continued operation of Kiln No. 8 pending the completion of compliance evaluations for the source. The source is located at their Pleasant Gap plant in Spring Township, **Centre County**. The plan approval has been extended.

**14-00002P: Graymont (PA), Inc.** (965 East College Avenue, Pleasant Gap, PA 16823) extended the authorization from January 31, 2019 to July 30, 2019, to permit continued operation of Kiln No. 8 pending the completion of compliance evaluations for the source. The source is located at their Pleasant Gap plant in Spring Township, **Centre County**. The plan approval has been extended.

**18-00005E: Dominion Energy Transmission, Inc.** (5000 Dominion Boulevard, Glen Allen, VA 23060) on January 3, 2019, to extend the plan approval to July 14, 2019, for the continued temporary operation of a 11,015 brake-horsepower (bhp) natural gas-fired turbine/compressor engine (Source P111) and a 791 bhp natural gas-fired emergency generator (Source P203) at their Finnefrock Compressor Station located in Leidy Township, **Clinton County**.

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

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

**PA-65-00080A: Duraloy Technologies, Inc.** (120 Bridge Street, Scottdale, PA 15683-1748) on January 14, 2014, to modify the Plan Approval to initiate the period of temporary operation of their sand reclamation unit at their Scottdale facility located in Scottdale Borough, **Westmoreland County**.

**PA-32-00387B: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201-1504) Plan Approval Extension issuance on January 11, 2019, for 18-months for completing the construction of their coal preparation facility located in Washington Township, **Indiana County**.

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

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*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.*

**22-05013: MI Metals, Inc.** (P.O. Box 1128, Oldsmar, FL 34677-1128) on January 2, 2019, for the aluminum



extruded products manufacturing facility located in Upper Paxton Township, **Dauphin County**. The Title V permit was renewed.

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

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

**32-00065: Specialty Tires of America Inc.** (1600 Washington Street, Indiana, PA 15701-2893) Title V Operating Permit Modification issuance date effective January 16, 2019, to authorize the continued operations of their specialty rubber tires manufacturing facility located in Borough of Indiana, **Indiana County**.

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**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.**

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

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

**09-00132: McAdoo & Allen/Quaker Color Division** (201 South Hellertown Ave., Quakertown, PA 18951) On January 15, 2019 for operation of their pigments dispersions manufacturing facility in Quakertown Borough, **Bucks County**. This action is a renewal of the non-Title V, State Only Operating Permit.

**09-00154: Bucks County Water and Sewer Authority**, (1275 Almshouse Road, Warrington, PA 18976) On January 22, 2019 for the renewal of a Non-Title V Facility, State-Only, Natural Minor Permit in Doylestown Township, **Bucks County** at their facility located at Pine Run Road and Old Dublin Pike.

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

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

**66-00005: H&K Group, Inc.** (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474-0196) The Department issued on 1/16/19, a State-Only (Natural Minor) Operating Permit renewal for operation of a crushing plant located in Falls Township, **Wyoming 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.

**45-00030: United Envelope, LLC** (1200 Industrial Park Drive, P.O. Box 37, Mount Pocono, PA 18344). On January 15, 2019 the Department issued a renewal State-Only Natural Minor Permit for the United Envelope, LLC located in Coolbaugh Township, **Monroe County**. United Envelope is a manufacturer of Commercial Envelopes. The facility uses inks, solvents, and adhesives in the manufacturing process. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), 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.

**40-00082: H&K Group, Inc.** (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474-0196) The Department issued on 1/16/19, a State-Only (Synthetic Minor) Operating Permit renewal for operation of an asphalt plant located in Foster Township, **Luzerne 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.

**35-00048: Pioneer Aggregates, Inc.** (220 S River Street, Plains, PA 18705-1137) The Department issued, on 1/16/19, a State-Only (Natural Minor) Operating Permit renewal for operation of a crushing plant located in Fell Township, **Lackawanna 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.*

**36-03101: Wenger Feeds LLC** (101 West Harrisburg Avenue, Rheems, PA 17570) on January 2, 2019, for the animal feed mill located in West Hempfield Township, **Lancaster County**. The State-only permit was renewed.

**29-03004: Mellott Company** (100 Mellott Drive, Suite 100, Warfordsburg, PA 17267-8555) on January 14, 2019, for the construction machinery manufacturing facility located in Bethel Township, **Fulton County**. The State-only permit was renewed.

**01-03032: Carma Industrial Coatings, Inc.** (45 Enterprise Drive, New Oxford, PA 17350-9253) on January 14, 2019, for the automotive parts surface coating facility located in Berwick Township, **Adams County**. The State-only permit was renewed.

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

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

**56-00160: Keystone Lime Company, Inc.** (1136 Christner Hollow Road, Fort Hill, PA 15540) on January 9, 2019, the Department of Environmental Protection (DEP) authorized a renewed synthetic minor operating permit for a stone processing plant and an asphalt plant at a location split between Addison Township and Elk Lick Township, **Somerset County**. The permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

**65-00623: Wabtec Rubber Products, Inc.** (269 Donahoe Road, Greensburg, PA 15601) on January 22, 2019, the Department of Environmental Protection (DEP) authorized a renewed natural minor operating permit for a facility that produces rubber products for railroad applications and is located in Hempfield Township, **Westmoreland County**. The permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

**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.*

**09-00015: Rohm and Haas Company** (200 Route 413, Bristol, PA 19007) On January 15, 2019, located in Bristol Township, **Bucks County**, the facility is a major source for Volatile Organic Compound (VOC) emissions and Nitrogen Oxides (NO<sub>x</sub>) emissions; the facility is an area source for Hazardous Air Pollutant (HAP) emissions. Administrative Amendment of the Title V Operating Permit was issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. The Administrative Amendment incorporates terms and conditions of Plan Approval No. 09-00151, which allows for the modification of the Volatile Organic Compound (VOC) emission rate for the Croydon Reactors (Source ID 401 and Source ID 441) at the chemical processing plant. There are no new sources; no operational changes and there is no change in annual emissions with this amendment. New Source Review and Prevention of Severe Deterioration are not triggered for any criteria pollutant, including Greenhouse Gases. VOC emissions from Source ID 401 and Source ID 441 are reduced through the use of a Catalytic Oxidizer (Control Device C09); Compliance Assurance Monitoring (CAM) requirements of 40 CFR Part 64 apply to the sources controlled by the Catalytic Oxidizer (Control Device C09) and the Regenerative Thermal Oxidizer (C18) for VOC. The amended permit contains all applicable requirements including monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

**46-00236: Highway Materials, Inc.** (1126 Crusher Road, Perkiomenville, PA 18074), On January 16, 2019 for an Administrative Amendment of a State Only, Synthetic Minor Operating Permit in Marlborough Township, **Montgomery County**. Highway Materials operates a 360 ton per hour batch asphalt plant with a rotary dryer. Administrative Amendment of the Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. The Administrative Amendment incorporates terms and conditions of General Permit No. GP3-46-0153 (Source ID 1004—Portable Crusher) and General Permit No. GP9-46-0102 (Scania Engine); Particulate Matter (PM) emissions from the crusher are controlled by a new wet suppression system. Sources at the facility are required to comply with the New Source Performance Standards of 40 CFR Part 60 Subpart OOO. The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

**23-00069: 500 Ridgeway Partners, LLC** (120 Pennsylvania Ave, Malvern, PA 19355) On January 22, 2019 administrative Amendment of the Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450 for the change of ownership from Trustees of the University of Pennsylvania to 500 Ridgeway Partners, LLC. The facility is located in Glenolden Borough, **Delaware County**.

**46-00031: Glaxosmithkline LLC** (1250 S. Collegeville Road, Collegeville, PA 19426-2990) Located in Upper Providence Township, **Montgomery County**. On January 22, 2019, was amended to incorporate Plan Approval PA-46-0031F (Bldg 7, 2,000 kW EGEN), change the Responsible Official and DEP approved alternate fuel monitoring for Sources 036A-041A and 106. Fuel usage can be calculated using the operating hours recorded using the non-resettable hour meter and the percent load (kW/usage) generated by the respective engine. The amended Title V Operating Permit will contain additional monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements.

**46-00270: Timberlane, Inc.** (150 Domorah Drive, Montgomeryville, PA 18936), On January 22, 2019, located in Montgomery Township, **Montgomery County**. Timberlane, Inc. is a Synthetic Minor facility, currently operating under SMOP No. 46-00270. Administrative Amendment of the Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450. The Administrative Amendment addresses a change in responsible official from Gene Hracho to Kevin Bennett, Director of Operations; there are no other changes to the SMOP. The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

**15-00055: Highway Materials, Inc., Downingtown Asphalt Plant** (850 Quarry Road, Downingtown, PA) located in East Caln Township, **Chester County**. On January 22, 2019, the operating permit was amended to incorporate terms and conditions from General Permit No. 3 for the installation and operation of a portable crusher (Source ID 1004) and to incorporate terms and conditions from General Permit No. 11 for the associated diesel-fired engine of the portable crusher (Source ID 1019), into the facility's State Only Operating Permit, 15-00055. This Administrative Amendment is issued in accordance with the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

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

**06-05007: Carpenter Technology Corp.** (101 Bern Street, Reading, PA 19601-1203) on January 15, 2019, for the specialty steel alloy manufacturing facility located in Reading City, **Berks County**. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 06-05007P.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

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

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

**65-00044: Enterprise Terminals & Storage, LLC** (1100 Louisiana Street, Houston, TX 77002-5227) on January 4, 2019, received an approval for a de minimis emissions increase pursuant to 25 Pa. Code § 127.449 of 0.80 ton of NO<sub>x</sub>, 0.07 ton of PM<sub>10</sub>, 0.81 ton of CO, 0.01 ton of SO<sub>x</sub> and 0.05 ton of VOCs resulting from installa-



tion and operation of a 2.0 MMBtu/hr convective heater at its Greensburg Terminal located in Hempfield Township, **Westmoreland County**. To date, no other de minimis emissions increases have occurred at the facility during the term of its State Only Operating Permit (65-00044).

## 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.*

**56841605 and NPDES No. PA0214761. Croner, Inc.**, (1576 Stoystown Rd, P.O. Box 260, Friedens, PA 15541). To renew the NPDES permit for the Good Town Preparation Plant in Brothersvalley Township, **Somerset County**. No additional discharges. The application was considered administratively complete on June 24, 2011 and replaced on April 2, 2018. Application received February 8, 2011 and replaced on April 2, 2018. Permit issued: January 10, 2019.

**65131301 and NPDES No. PA0236241. LCT Energy, LP**, (938 Mt. Airy Drive, Suite 200, Johnstown, PA 15904). To revise the permit for the Rustic Ridge # 1 in Donegal Township, **Westmoreland County** and Saltlick Township in **Fayette County** and related NPDES permit. Includes revisions resulting from a private settlement agreement between LCT Energy, LP and Mountain Watershed Association. The revisions address a pit expansion, revised permit and subsidence control plan area, mine water pumping rate, relocation of outfall 003, and updated groundwater inventory. Underground Acres Proposed—41.6, Subsidence Control Plan Acres Proposed—41.6. No additional discharges. The application was considered administratively complete on April 17, 2018. Application received: March 14, 2018. Permit issued: January 10, 2019.

**30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC**, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Harvey Mine in Richhill and Morris Townships, **Greene County** and related NPDES permit for installation of two (2) boreholes. Surface Acres Proposed 15.3. No additional discharges. The application was considered administratively complete on November 19, 2018. Application received: July 30, 2018. Permit issued: January 16, 2019.

**30743705 and NPDES No. PA0214752. Dana Mining Company of Pennsylvania, LLC**, (103 Corporate Drive, Suite 102, Morgantown, WV 26501). To renew the permit for the Mundell Hollow Refuse Disposal Area in Dunkard Township, **Greene County**. No additional discharges. The application was considered administratively complete on August 17, 2016. Application received: April 25, 2016. Permit issued: January 17, 2019.

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

**24020104 and NPDES No. PA0242268. RES Coal, LLC** (224 Grange Hill Road, P.O. Box 228, Armagh, PA 15920), Renewal of an existing bituminous surface and auger mine and associated NPDES permit in Fox Township, **Elk County** affecting 260.0 acres. This renewal is for reclamation only. Receiving streams: Little Toby Creek and an unnamed tributary to Little Toby Creek. Application received: July 16, 2018. Permit issued: January 15, 2019.

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

**17020110. RAMM Coal, Inc.** (1092 Spruce Hill Road, Rockton, PA 15856) Permit revision to postmining land use change from forestland to unmanaged natural habitat to a bituminous surface and auger mine located in Sandy and Brady Townships, **Clearfield County** affecting 145.3 acres. Receiving streams: Unnamed Tributaries to LaBorde Branch and LaBorde Branch classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: October 3, 2018. Permit issued: January 4, 2019.

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

**63170102 (formerly 32A77SM5) and NPDES Permit No. PA0278254. Twilight Industries, Division of USNR, LLC** (P.O. Box 310, Woodland, WA 98674). Renewal and revision application for passive treatment system to an existing bituminous surface mine, located in East Bethelhem Township, **Washington County**, affecting 75.0 acres. Receiving streams: unnamed tributary to Tenmile Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: February 26, 2018. Permit revision issued: January 15, 2019.

### Noncoal Permits Issued

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

**PAM618080. G. L. Adams Excavating, Inc** (140 Adams Road, Polk, PA 16342) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 61880806 in Mineral Township, **Venango County**. Receiving streams: Unnamed tributary to Sandy Creek. Application received: December 10, 2018. Permit issued: January 10, 2019.

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

**14182801. Ameron Construction Company, Inc.** (2501 North Atherton Street, State College, PA 16803). Commencement, operation, and restoration of a small noncoal industrial minerals surface mine permit (shale/sandstone) in Boggs Township, **Centre County** affecting 5.0 acres. Receiving stream(s): Unnamed Tributaries to Bald Eagle Creek classified for the following uses): CWF, MF. Application received: June 11, 2018. Permit Issued: January 7, 2019.

**PAM218017. Ameron Construction Company, Inc.** (2501 North Atherton Street, State College, PA 16803). General NPDES permit for stormwater discharge associated with mining activities on Surface Mining Permit No. 14182801 in Boggs Township, **Centre County**. Receiving stream(s): Unnamed Tributaries to Bald Eagle Creek. Application received: July 9, 2018. Permit Issued: January 7, 2019.

**08110305 and NPDES PA0257681. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, State College, PA 16803). Revision to change post-mining land use of forestland to unmanaged natural habitat on a large noncoal surface mine site located in Windham and Rome Townships, **Bradford County** affecting 150.8 acres. Receiving streams: Trout Brook and Wysox Creek classified for following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: July 11, 2018. Permit issued: January 16, 2019.

#### PRIMACY BOND FORFEITURE PROJECT

*New Stanton District Mining Office, P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, Telephone 724-925-5542.*

Primacy Bond Forfeiture Project	PBF 03890108.2
Location	Washington Township <b>Armstrong County</b> Pennsylvania
Description	Darmac Silver Rock Mine Phase I
Contractor	Armstrong County Conservation District 120 South Grant Avenue, Suite 2 Kittanning, PA 16201-1450
Amount	\$155,700.00
Date of Award	December 12, 2018

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

##### *Blasting Permits Issued*

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

**16194001. Demtech, LLC** (470 Dutchtown Road, Butler, PA 16002). Blasting activity permit to blast at Piney Creek Power Plant in Piney Township, **Clarion County**. This blasting activity permit will expire on August 31, 2019. Permit issued: January 10, 2019.

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

**59194101. Valley Rock Solutions LLC** (P.O. Box 246, Macungie, PA 18062). Blasting for well pad on DCNR 594 Well Site in Liberty Township, **Tioga County** with an expiration date of January 8, 2020. Permit issued: January 15, 2019.

**14194101. Douglas Explosives Inc.** (2052 Philipsburg Bigler Hwy, Philipsburg, PA 16866). Blasting for residential development for Nittany Glen Gas Line in Benner

Township, **Centre County** with an expiration date of December 30, 2019. Permit issued: January 17, 2019.

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

**Permit No. 36194101. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Herr Sacco in Rapho Township, **Lancaster County** with an expiration date of August 30, 2019. Permit issued: January 16, 2019.

**Permit No. 36194102. Keystone Blasting Service,** (15 Hopeland Road, Lititz, PA 17543), construction blasting for Conoy Crossings in East Donegal Township and Elizabethtown Borough, **Lancaster County** with an expiration date of December 31, 2019. Permit issued: January 16, 2019.

**Permit No. 64194101. Explosive Services, Inc.,** (7 Pine Street, Bethany, PA 18431), construction blasting for Explosive Services borrow pit in Clinton Township, **Wayne County** with an expiration date of January 1, 2022. Permit issued: January 16, 2019.

**Permit No. 06194103. M & J Explosives, LLC,** (P.O. Box 1248, Carlisle, PA 17013), construction blasting for Rutters 81 gas station in Ontelaunee Township, **Berks County** with an expiration date of January 18, 2020. Permit issued: January 17, 2019.

**Permit No. 67194102. M & J Explosives, LLC,** (P.O. Box 1248, Carlisle, PA 17013), construction blasting for Wynfield Apartments in York Township, **York County** with an expiration date of January 15, 2020. Permit issued: January 17, 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.

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**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.**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E09-1027. Andrew Klimenko**, 105 Jakes Way, Feasterville, PA 19053, Northampton Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain a single home dwelling along the 100-year floodway of the unnamed Tributary to Little Neshaminy Creek (WWF, MF) impacting 0.01650 acre of calculated Floodway.

The site is located approximately 250 feet northeast of the intersection of Spencer Road and Skyview Drive (Hatboro, Latitude 40.2384773; Longitude -75.032253).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E51-288. City of Philadelphia**, Department of Commerce, Division of Aviation, Terminal D-E, 3rd Floor, Philadelphia, PA 19153, Philadelphia City, **Philadelphia County**; ACOE Philadelphia District.

To perform the below listed water obstruction and encroachment activities associated with the Philadelphia International Airport, Improvements to Church Creek. The proposed project will include clearing vegetation and debris from Church Creek and re-grading of approximately 3 acres. The proposed project will have temporary upland impacts of 2.03 acres and temporary stream impacts of 0.52 acre (Church Creek). The project is located in the floodplain.

The site is approximately at Church Creek adjacent to the Economy Parking Lot. (Philadelphia, PA-NJ Latitude: 39° 53' 1.72"; Longitude 75° 14' 19.71").

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E23-548. Middletown Township Sewer Authority**, 27 N Pennell Road, Lima, PA 19063, Aston and Middletown Townships, **Delaware County**, ACOE Philadelphia District.

To construct and maintain a new 21-inch diameter gravity sewer interceptor in and along a 100-year Floodway of Chester Creek and its tributaries associated with the Chester Creek Sanitary Sewer Interceptor Phase

3 Project, impacting 0.28 acre of wetland, five stream crossings, eight floodway crossings, and seven floodplain crossings.

The proposed work will start at West Baltimore Pike (US Route 1) and terminate near south Pennell Road (PA 452), (Media PA USGS Map, Latitude: 39.89232; Longitude: -75.445005).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E46-1168: Upper Providence Township**, 1266 Black Rock Road, P.O. Box 406, Oaks, PA 19456, Upper Providence Township, **Montgomery County**, ACOE Philadelphia District.

To rehabilitate and maintain approximately 7,400 feet-long existing sanitary sewer access-way and utilize as an 8-foot-wide naturally surfaced pedestrian trail within the floodway/floodplain of the Schuylkill River (WWF-MF) associated with the Schuylkill Trail East. The pedestrian trail will require minor grading improvements and five culvert crossings over UNTs to Schuylkill River.

The site is located between Schuylkill Canal Park (lock 60) to Upper Schuylkill Valley Park (USGS Collegeville, PA Quadrangle Latitude 40.151467; Longitude -75.502021).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

*Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E40-812. Ken Churchill**, 906 Lakeside Drive, Harveys Lake, PA 18612, Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To remove an existing dock and boathouse and to construct and maintain a 922 sq. ft., pile-supported dock and boathouse within the basin of Harveys Lake (HQ-CWF). The project is located at Pole # 88 along Lakeside Drive (S.R. 415) (Harveys Lake, PA Quadrangle, Latitude: 41° 22' 35"; Longitude: -76° 1' 48"). Subbasin 5B.

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

**E07-469: Kunzler & Company, Inc.**, 118 Poorman Street, Tyrone, PA 16686 in Snyder Township, **Blair County**, U.S. Army Corps of Engineers Baltimore District.

To construct and maintain a 6-inch diameter stormwater outfall with associated riprap and 37 linear feet of gabion wall stream bank protection in and along the Little Juniata River (TSF, MF) and its floodway for the purpose of constructing stormwater management for a plant expansion. The project is located at the intersection of Poorman Street and East Pleasant Valley Boulevard (Latitude: 40° 39' 39" N; Longitude: 78° 15' 19" W) in Snyder Township, Blair County. No wetlands will be impacted by this project. The permit was issued on January 16, 2019.

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

**E18-508. First Quality Tissue, LLC**, 904 Woods Avenue, Lock Haven, PA 17745. First Quality Tissue, LLC, Bald Eagle Creek Canal Crossing, in Castanea Township, **Clinton County**, ACOE Baltimore District (Lock Haven & Mill Hall, PA Quadrangle N: 41° 07' 32.57"; W: 77° 27' 29.12").

Department authorization giving consent to construct, operate and maintain an industrial access road crossing a canal, contributory to Bald Eagle Creek, for access to adjacent industrial complex area. Construction of the industrial access road crossing shall be performed with a concrete box culvert having a minimum span of 9.4 feet, rise of 6 feet, and length of 89 feet. Installation of the box culvert shall be completed in dry work conditions by fluming, dam and pumping or diverting canal flow around the work area. The project is located along the eastern right-of-way of SR 0150 approximately 3,400 feet east of Flemington Borough Herr Street and Bellefonte Avenue intersection.

This Department action, which included 401 water quality certification, was based on application submitted under § 105.13 (f) as a "Small Projects."

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

**E56-387, Pennsylvania Department of Transportation Engineering District 9-0**, 1620 North Juniata Street, Hollidaysburg, PA 16648, Brothersvalley Township, **Somerset County**, Pittsburgh ACOE District.

Has been given consent to:

1. Remove the existing 32.2' single span, 25.5' wide SR 3010 bridge over Millers Run (CWF) with a drainage area of 3.06 square miles; construct and maintain a replacement 43' single span, 35.3' wide bridge with a minimum underclearance of 3.5'.

2. Remove the existing 80' long, 15" diameter SR 3010 culvert carrying a UNT to Millers Run (CWF) with a drainage area of 0.45 square mile; construct and maintain a replacement 192' long, 66" diameter RCP enclosure, depressed 6".

3. Remove the existing 38' long, 18" diameter SR 3010 culvert carrying a UNT to Tubs Run (CWF) with a drainage area of 0.17 square mile; construct and maintain a replacement 44' long, 48" diameter equivalent elliptical RCP culvert, depressed 6".

4. Remove the existing 15.25' single span, 24' wide SR 3010 bridge over Tubs Run (CWF) with a drainage area of 2.46 square miles; construct and maintain a replacement 75.9' long, 16' wide box culvert with a minimum underclearance of 6' and depressed 1'.

5. Remove and replace existing culverts and construct and maintain additional permanent stream impacts totaling 1,079 in UNTs to Millers Run (CWF) and Tubs Run (CWF) with drainage areas of less than 100 acres.

6. Remove the existing 32.2' single span, 25.5' wide bridge over Tubs Run (CWF) with a drainage area of 3.06 square miles; construct and maintain a replacement 43' single span 35.3' wide bridge with a minimum underclearance of 3.5'.

7. Place and maintain fill in 0.165 acre of PEM wetlands, 0.032 acre of PSS wetlands, and 0.05 acre of PFO wetlands.

8. In addition, install and maintain road associated stormwater outfalls and temporarily impact 0.227 acre of wetland and 396' of stream for the purpose of constructing these encroachments. Stream mitigation will be provided on site and at the South Fork of Bens Creek (HQ-CWF), Conemaugh Township, Somerset County (Berlin, PA Quadrangle to Johnstown, PA Quadrangle; Beginning Lat: 40° 16' 0"; Long: -78° 58' 32"; Ending Lat: 40° 15' 42"; Long: -78° 58' 16"; Sub-basin 18E, USACE Pittsburgh District). Wetland mitigation will be constructed on site.

These encroachments are associated with the SR 3010, Mud Pike Road improvement project, which extends west approximately 4.0 miles from the existing intersection of SR 219 and SR 3010 to the intersection of SR 2031 and SR 3010, Garrett Shortcut Road (Berlin, PA Quadrangle to Murdock, PA Quadrangle; Beginning Lat: 39° 55' 47.12"; Long: -79° 58' 30.32"; Ending Lat: 39° 56' 0"; Long: -79° 2' 23"; Sub-basin 19F; USACE Pittsburgh District) in Brothersvalley Township, Somerset County.

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

**E24-271, City of St. Marys**, 11 Lafayette St., St. Marys, PA 15857. Central Park Pedestrian Bridge, in the City of St. Marys, **Elk County**, ACOE Pittsburgh District (St. Marys, PA Quadrangle N: 41° 25' 41.60"; W: 78° 33' 27.72").

To construct and maintain a 7-foot wide prefabricated pedestrian bridge having a single clear span of 65 feet and an underclearance of 12.88 feet across Elk Creek between 294 Depot Street and the existing parking garage along Depot Street and to construct and maintain the pedestrian bridge approaches, sidewalks, an amphitheater, and related park features within the 100-year floodplain of Elk Creek as part of the Central Park project (St. Marys, PA Quadrangle N: 41° 25' 41.60"; W: 78° 33' 27.72") in the City of St. Marys, Elk County.

**E43-367, JMJACD Associates LTD.** Penn Stainless Building and Access Drive Addition, in Jackson Township, **Mercer County**, ACOE Pittsburgh District (Jackson Center, PA Quadrangle N: 41°, 15', 38"; W: 80°, 9', 50").

Fill 0.035 acre of wetland associated with the construction of a building addition and additional access road at 102 McQuiston Drive (Jackson Center, PA Quadrangle N: 41° 15' 38"; W: 80° 9' 50") in Jackson Township, Mercer County.

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

**E5929-079: UGI Texas Creek, LLC**, One Meridian Boulevard, Suite 2C01, Wyomissing, PA 19610, Liberty Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) An 8 inch diameter natural gas pipeline impacting 48 square feet of an exceptional value palustrine forested (EV-PFO) wetland, 17 linear feet of Salt Spring Run (HQ-CWF), and 21 square feet of an exceptional value palustrine forested (EV-PFO) wetland via horizontal direction drill (Liberty, PA Quadrangle 41° 35' 52"N, 77° 01' 12"W);

2) An 8 inch diameter natural gas pipeline impacting 500 square feet of an exceptional value palustrine for-



ested (PFO) wetland via horizontal direction drill (Liberty, PA Quadrangle 41° 35' 53"N, 77° 01' 27"W);

3) A temporary road crossing using timber mats and an 8 inch diameter gas pipeline impacting 20,976 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Liberty, PA Quadrangle 41° 35' 45"N, 77° 01' 33"W);

4) A temporary road crossing using timber mats, an 8 inch diameter natural gas pipeline, and a 10 inch diameter waterline impacting 1,800 square feet of an exceptional value palustrine forested (EV-PFO) wetland and 48 linear feet of an unnamed tributary to Salt Spring Run (HQ-CWF) (Liberty, PA Quadrangle 41° 35' 15"N, 77° 01' 47"W);

5) A temporary road crossing using timber mats, an 8 inch diameter natural gas pipeline, and a 10 inch diameter waterline impacting 59 linear feet of an unnamed tributary to Salt Spring Run (HQ-CWF) (Liberty, PA Quadrangle 41° 35' 14"N, 77° 01' 49"W).

The project will result in 124 linear feet of temporary stream impacts and 21,545 square feet (0.49 acre) of temporary wetland impacts, 1,800 square feet (0.04 acre) of permanent wetland impacts all for the purpose of installing a natural gas pipeline and a freshwater pipeline for Marcellus well development in Liberty Township, Tioga County.

**E5329-017: JKLM Energy, LLC**, 2200 Georgetown Drive, Suite 500, Sewickley, PA 15143, Sweden Township, **Potter County**, ACOE Baltimore District.

To construct, operate and maintain the YM-52 to YM-53 Interconnect Project—Mill Creek HDD, which consists of three (3) 12-inch diameter natural gas pipelines, with impacts to 50.0 linear feet of Mill Creek (HQ-CWF) and 7,646 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via HDD (Ayers Hill, PA Quadrangle, Latitude: N41° 44' 35.89", Longitude: W77° 56' 29.37").

The project will result in 50.0 linear feet of permanent stream impacts, and 7,646 square feet (0.17 acre) of permanent EV PEM wetland impacts all for the purpose of installing a natural gas gathering line for Marcellus shale development.

#### ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.*

**EA6714-001. Dover Township**, 2480 West Canal Road, Dover, PA 17315, Dover Township, **York County**, USACOE Baltimore District.

To remove approximately 27,000 cubic yards of legacy sediment from the floodplain along two unnamed tributaries to Fox Run (TSF) for the purpose of restoring natural aquatic ecosystems; to construct temporary roadways and other erosion controls during restoration activities, to rehabilitate 0.36 acre of existing wetlands and restore approximately 4 acres of wetlands within the floodplain areas; to realign approximately 4,000 lineal feet of the unnamed tributaries for the purpose of restoring approximately 6,250 lineal feet of stream channel; to place log sills, root wads, and other wood grade control structures and woody debris habitat structures in restored streams, wetlands, and floodplain areas; to place erosion control structures along the restored floodplain areas; and to construct two pedestrian bridges across

restored floodplain areas. The project is located downstream of the West Canal Road bridge across the tributary to Fox Run on parcels owned by Dover Township and Dover Area High School (USGS Quadrangle: West York, PA: Latitude: 39° 59' 48"; Longitude: -76° 51' 0").

#### 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.

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

ESCGP-2 # ESG29-081-17-0036 (01)  
Applicant Name Seneca Resources Company, LLC  
Contact Person Doug Kepler  
Address 5800 Corporate Drive, Suite 300  
City, State, Zip Pittsburgh, PA 15237  
County Lycoming

Township(s) Gamble, Hepburn and Eldred Twps.  
Receiving Stream(s) and Classification(s) Glendenen Run (HQ-CWF, MF), UNT to Fisher Hollow (WWF, MF), Fisher Hollow (WWF, MF), UNT to Mill Creek (WWF, MF), Mill Creek (EV, TSF-MF), UNT to Mill Creek (EV, TSF-MF), UNT to East Branch Murray Run (EV, MF), West Branch Murray Run (EV, MF), UNT to West Branch Murray Run (EV, MF), Miller Run (EV, MF).  
Secondary: Lycoming Creek, Loyalsock Creek.

ESCGP-3 # ESG32908118-001  
Applicant Name ARD Operating, LLC  
Contact Person Stephen R. Barondeau  
Address 33 West Third Street, Suite 300  
City, State, Zip Williamsport, PA 17701  
County Lycoming  
Township(s) Cogan House Twp.  
Receiving Stream(s) and Classification(s) Primary Watershed(s): (1) Thompson Hollow (EV), and (2) UNTs to Long Run (EV).  
Secondary Watershed(s): (1) Second Fork Larrys Creek (EV), and (2) Long Run (EV).

ESCGP-3 # ESG32910518-002  
 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) Pike and Hector Twps  
 Receiving Stream(s) and Classification(s) Primary Water-  
 shed(s): (1) Genesee Forks (HQ-CWF), (2) Tributary  
 22243 to Genesee Forks (HQ-CWF), (3) Flynn Hollow  
 (HQ-CWF), (4) Cushing Hollow (HQ-CWF), (5) Judson  
 Hollow (HQ-CWF).  
 Secondary Watershed(s): (1) West Branch Susquehanna  
 River (WWF-MF).

## 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 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.

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.*

**Cheltenham Exxon**, 51-01903, 2500 W Cheltenham Ave, **City of Philadelphia**. Synergy Environmental Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA on behalf of Maura Topper, 645 Hamilton Street, Suite 500, Allentown, PA 18101 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 site specific standards.

**Bob Nolans Auto Svc, 09-42604**, 2464 Bristol Pike, Cornwells Heights, **Bucks County**. MEA Environmental Services, 1365 Ackermanville Road, Bangor, PA 18013 on behalf of Bob Nolan, 2464 Bristol Pike, Bensalem, PA 19020 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.

**Daniel G Strunk, 46-02601**, 1997 Keim St., Pottstown, **Montgomery County**. Envirotrac Environmental Services, 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of the Pennsylvania Department of Environmental Protection, 2 E. Main St., Norristown, PA 19401 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 Statewide health standards.

**Keystone State Fuel, 46-04819**, 430 Main St., Schwenksville, Schwenksville Borough, **Montgomery County**. Marathon Engineering & Environmental Services, 533 Becket Road, Suite 608, Swedesboro, NJ 08085 on behalf of Garden State Fuels, Inc. t/a Keystone State Fuels, P.O. Box 249, Vineland, NJ 08360 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 the Statewide health standard.

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

**Promised Land Junction**, Storage Tank ID # 52-50520, 895 State Route 390, Palmyra Township, **Pike County**. United Environmental Services, P.O. Box 701, Schuylkill Haven, PA 17972 on behalf of Judith and Victor Apellanes, 895 State Route 390, Greentown, PA 18426 has submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and 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.*

**Lisi Food and Fuel 3**, Storage Tank Primary Facility ID # 22-12556, 3662 Peters Mountain Road, Halifax, PA 17032, Halifax Township, **Dauphin County**.

**Reliance Environmental, Inc.**, 235 North Duke Street, Lancaster, PA 17602, on behalf of Lisi Oil Company, 137 East Broad Street, Elizabethville, PA 17023 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with diesel fuel constituents. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

**Shall's General Store**, Storage Tank Primary Facility ID 53-70474, Main Street, Oswayo Borough, **Potter County**. Mobile Environmental Analytical, Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Ms. Gina Shall, 1016 Silver Lake Boulevard, Frankfort, KY

40601, has submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline and kerosene. 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.*

**Vennard Crossroads Convenience**, Storage Tank Primary Facility ID # 32-81802, 4985 Lucerne Road, White Township, **Indiana County**.

**Mountain Research, LLC**, 825 25th Street, Altoona, PA 16601, on behalf of Vennard's Crossroads Convenience, 5190 White Oak Drive, Indiana, PA 15701-9479 submitted a Remedial Action Plan concerning remediation of soil contaminated with 1, 2, 4-trimethylbenzene, 1, 3, 5-trimethylbenzene, benzene, toluene, ethylbenzene, total xylenes, cumene, and naphthalene; site groundwater contaminated with 1, 2, 4-trimethylbenzene, 1, 3, 5-trimethylbenzene, benzene, toluene, ethylbenzene, total xylenes, MTBE, cumene, and naphthalene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**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 report is intended to document remediation of the site to meet the site-specific standard.

**Honey Bear Mini Mart** (North Washington), Storage Tank Primary Facility ID # 65-80141, 698 Route 66, Apollo, PA 15613, Washington Township, **Westmoreland County**. Insite Group Inc., 611 South Irvine Avenue, Sharon, PA 16146, on behalf of Graft Oil Company, P.O. Box 899, Connellsville, PA 15425 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.

**Honey Bear Mini Mart**, 11-24175, 3100 Elton Road, Johnstown, PA 15904, City of Johnstown, **Cambria County**. Insite Group, Inc., 611 South Irvine Avenue, Sharon, PA 16146, on behalf of Graft Oil Company, P.O. Box 899, Connellsville, PA 15425, 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.

## 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 Pro-

tection (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.*

**Tabor Services, Inc.**, 09-25142, 601 New Britain Road, Doylestown, PA 18901. EnviroSure Inc., 319 South High Street, 1st Floor, West Chester, PA on behalf of Tabor Farms, LLC, 220 Farm Lane, Doylestown, PA 18901 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 January 9, 2019.

**Naval Surface Warfare Ctr**, 51-13723, 5001 S Broad Street, Code 357, City of Philadelphia. AECOM, Inc., 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of Naval Facilities Engineering Command, Mid-Atlantic, 9324 Virginia Avenue, Norfolk, VA 23511-3095 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan was acceptable to meet the site specific standard and was approved by the Department on January 11, 2019.

**Marcus Hook Industrial Complex**, 23-14224, 100 Green Street, Marcus Hook Borough, **Delaware County**. Stantec Consulting Services, 1060 Andrew Drive, Suite 140, West Chester, PA 19380, on behalf of Sunoco Partners Marketing & Terminals, 100 Green Street, Marcus Hook, PA 19061 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with sulfuric acid. The Remedial Action Plan was acceptable to meet the site-specific standard and was approved by the Department on January 14, 2019.



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

**Former Gas & Go, 45-10554**, 1844 Paradise Trail, Stroud Township, **Monroe County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, submitted a Remedial Action Completion Report on behalf of Ms. Dina Jasmine Sanchoo, 700 Clearlake Road, Cocoa, FL 32922, concerning remediation of soils and groundwater contaminated with gasoline and kerosene. The Remedial Action Completion Report demonstrated attainment of the Residential Statewide Health Standard for soils and groundwater and was approved by DEP on January 16, 2019.

*Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Keneco Oil Bulk Plant**, Storage Tank Primary Facility ID # 01-37038, 6170 Baltimore Pike, Littlestown, PA 17340, Germany Township, **Adams County**.

**Mountain Research, LLC**, 825 25th Street, Altoona, PA 16601, on behalf of Keneco Oil Bulk Plant, 6149 Baltimore Pike, Littlestown, PA 17340-9504 submitted a Remedial Action Plan, concerning remediation of groundwater contaminated with methyl tert butyl ether and benzene.

The Remedial Action Plan was acceptable to meet the Statewide health standard and was approved by the Department on January 14, 2019.

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

**Glen Raven Custom Fabrics, LLC**, (Former Sunbury Textile Mills, Inc.), Storage Tank Primary Facility ID # 49-70815, 1150 Walnut Street Extension, City of Sunbury, **Northumberland County**. BlackRock Environmental, LLC, P.O. Box 288, Nazareth, PA 18064, on behalf of Molesevich Environmental, LLC, submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with unleaded gasoline. The Remedial Action Completion Report demonstrated attainment of the Residential Statewide Health Standard for Groundwater and was approved by DEP on January 8, 2019.

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

**Bill's Sure Save**, Storage Tank Primary Facility ID # 42-90626, 28 West Main Street, Mount Jewett Borough, **McKean County**.

**Letterle & Associates, Inc.**, 191 Howard Street, Suite 108, Franklin, PA 16323, on behalf of Schmitt Sales, Inc., 2101 Saint Rita's Lane, Buffalo, NY 14221-2055 submitted a Remedial Action Plan concerning remediation of site soil contaminated with benzene, ethylbenzene, xylenes, methyl tertiary-butyl ether, isopropyl benzene, naphthalene, 1,2,4 trimethyl benzene, 1,3,5 trimethylbenzene; site groundwater contaminated with benzene, ethylbenzene, xylenes, methyl tertiary-butyl ether, isopropyl benzene, naphthalene, 1,2,4 trimethyl benzene, 1,3,5 trimethylbenzene. The Remedial Action Plan was acceptable to meet the Statewide Health Standard and was approved by the Department on January 10, 2019.

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## SPECIAL NOTICES

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### DRINKING WATER STATE REVOLVING FUND

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#### Special Notice Under the Federal Safe Drinking Water Act (SDWA); 42 U.S.C. 300f, et. seq.

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

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Easton Suburban Water Authority	3700 Hartley Avenue Easton, PA 18043	Lower Nazareth Township Northampton County

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project, known as the Easton Suburban Water Authority (ESWA) Lower Nazareth Water System Improvement Project. ESWA proposes the construction of a new pumping station to serve the Lower Nazareth service area to replace the Butztown Pumping Station as well as the installation of approximately 9,500 lineal feet of suction and discharge mains including the replacement of water main along Hecktown Road. The project also includes the replacement of approximately 7,600 lineal feet of water main on State Route 191. The Department of Environmental Protection's (Department) review of the project and the information received for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves a Categorical Exclusion for the project.

#### Act 181 Notification: Treatment Project in Somerset County.

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

The work will include the construction of a sludge pipeline, sludge borehole, electrical line, ditch work, water line, and treatment pond repairs on the Flight 93 Pump Well treatment site. This project issues on January 31, 2019, and proposals will be opened on February 20, 2019. A mandatory preproposal meeting will be conducted on February 14, 2019, at 10 a.m. at the Cambria District Office, 286 Industrial Park, Ebensburg, PA 15931. For information call Malcolm Crittenden, (814) 472-1908 or e-mail [mcrittende@pa.gov](mailto:mcrittende@pa.gov).

[Pa.B. Doc. No. 19-147. Filed for public inspection February 1, 2019, 9:00 a.m.]



## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Agricultural Advisory Board 2019 Meeting Schedule

The Agricultural Advisory Board (Board) has scheduled its meetings for 2019. The Board will meet at 9:30 a.m. in Susquehanna Conference Room B, Department of Environmental Protection, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110 (unless noted otherwise). The meeting dates are as follows:

April 25, 2019

June 20, 2019

August 29, 2019—at the Department of Agriculture

October 24, 2019

December 19, 2019

Questions concerning the Board meetings can be directed to Jay Braund at [jbraund@pa.gov](mailto:jbraund@pa.gov) or (717) 772-5636. The agenda and meeting materials will be available through the Department of Environmental Protection's (Department) Public Participation web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Agricultural Advisory Board"). Prior to each meeting, the Department encourages individuals to visit the web site to confirm meeting date, time and location.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 772-5636 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 19-148. Filed for public inspection February 1, 2019, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Bond Schedule for the Calculation of Bond Amounts on Noncoal Mining Operations

The Department of Environmental Protection (Department) announces the bond schedule for noncoal mining operations. The authority for bonding noncoal mining operations is found under The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326) and the regulations promulgated thereunder in 25 Pa. Code Chapter 77, Subchapter D (relating to bonding and insurance requirements). The rates listed in this schedule will be used in calculating the bonds for surface noncoal mining operations including surface mines and facilities and the surface facilities of underground mining operations. Other activities, including special revegetation

plans, wetland mitigation or stream channel restoration, will be estimated on a case-by-case basis.

Under 25 Pa. Code § 77.202 (relating to determination of bond amount), the Department is providing notice of the bond schedule for bonding noncoal surface mine sites. The schedule is the same as the 2018 published schedule.

The bond schedule reflects the requirement that the amount of bond shall be the estimated cost to the Department if it had to complete the reclamation, restoration and abatement work under the Noncoal Surface Mining Conservation and Reclamation Act. The rates will become effective upon publication and will remain in effect until they are revised through a subsequent notice.

The bond rate schedules are available electronically at <http://www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/Bonding/Pages/default.aspx>. For background information and supporting documentation regarding bonding rate schedules, contact the Bureau of Mining Programs, Division of Permits, Monitoring and Compliance, P.O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

#### *General Methodology*

The basic approach to bonding large noncoal sites is to apply a flat per acre rate (to cover minor grading and revegetation) and supplement that with bond to account for spoil storage, backfilling, highwall blasting, demolition or other site-specific costs. For mine sites where consolidated material is mined below the water table, the reclamation bond calculation must account for reclamation slopes to a depth of 50 feet below the anticipated post-mining water level.

For sites that can be mined in lateral phases, the operator can choose to bond the permit area by phase. The operator must identify the portion of the permit area on which mining and reclamation activities will occur within the phase. The Department will calculate the bond liability based on the maximum portion of the permitted area that the permittee is authorized to disturb at any specific time. This area is described in the permittee's mining and reclamation plans and must include all of the land affected by mining activities that is not planted, growing and stabilized.

#### *Per Acre Rates Applicable to Disturbed (Not Reclaimed) Area*

\$3,500 per acre for mining area (this rate includes select grading and revegetation)

\$1,900 per acre for support areas (this rate includes revegetation)

#### *Spoil Storage/Earthmoving*

The rate of \$1.20 (cost per cubic yard) for grading applies to spoil stored or other additional earthmoving (for example, backfilling for contour mines or subsoil replacement where more than 12 inches of soil is needed to meet post-mining land use).

#### *Blasting to Achieve the Reclamation Slope*

The following rates apply to highwalls where blasting is necessary to achieve the final slope. Blaster's estimates may be used in lieu of these rates.

**Table 1**

<i>Highwall / Bench Height (feet)</i>	<i>Cost per Linear Foot of Highwall / Bench</i>
Up to 20	\$10.00
21 up to 30	\$20.00
31 up to 40	\$40.00
41 up to 50	\$55.00
>50	\$75.00

**Mine Sealing**

Mine sealing costs should be calculated using the Bond Rate Schedule in Table 2.

**Table 2****Mine Sealing Bond Rate Schedule***Sealing Underground Mine Drift and Slope Openings*

<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Concrete Work	Cubic Yard	128.00
Masonry Work	Square Foot	11.00
Fill Material and Earthwork	Cubic Yard	23.00
Security Fencing	Lineal Foot	29.00
Mobilization Cost	Job	5% of Total Amount

*Sealing Underground Mine Shaft Openings*

<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Concrete Material	Cubic Yard	96.00
Aggregate Material	Cubic Yard	27.00
Fill Material and Earthwork <sup>1</sup>	Cubic Yard	4.00
Security Fencing	Lineal Foot	29.00
Mobilization Cost	Job	5% of Total Amount

*Sealing Boreholes at Underground Mines*

<i>Dimension</i>	<i>Minimum Cost Per Hole (\$)</i>	<i>Unit Cost (\$) Per Lineal Foot</i>
12-Inch or Less Diameter	1,500	5.50
Larger Than 12-inch Diameter	2,000	5.50

<sup>1</sup> Mine sealing costs are minimum costs. Additional costs per mine seal will be assessed based on specific design criteria, such as the thickness of the seal and the volume of backfill material required, using appropriate material, equipment and labor costs from BAMR bid abstracts or from an industry-standard cost estimation publication, for example, *Means Estimating Handbook* or *Walker's Building Estimator's Reference Book*.

**Other Items**

A flat rate of \$3,800 will be used for each pond requiring reclamation. This rate includes dewatering, grading, topsoil replacement and revegetation.

Large equipment tires remaining at a site will be bonded at \$300 per tire.

Available cost information will be used in the event that a unit operation necessary to calculate a reclamation bond is not listed in the schedule. If enough data is not available, the rate will be set from a standard reference

like *Means Building Construction Cost Data* or *Walker's Building Estimator's Reference Book*.

Structure demolition costs, for structures that are not compatible with the post-mining land use, will be calculated using these references. Structures that have reasonable post-mining uses do not require bonding.

**Mobilization**

Add 4% of the amount, up to \$40,000, for mobilization costs.

**Large Noncoal—Unconsolidated Material**

Mining of unconsolidated material includes sites where the mining is above and below groundwater. The cost of reclamation for these two types of mining include selective grading to achieve the reclamation slopes and the safety bench around the water impoundment to meet the requirements of 25 Pa. Code § 77.594 (relating to final slopes).

The cost to grade the highwall to the approved reclamation slope above the groundwater table will be calculated based on the area of the highwall (determined by the length of highwall to be reclaimed multiplied by the horizontal width of the reclamation slope) to be reclaimed and the height of the highwall. The Department will use the following rates for bonding permits mining unconsolidated material:

\$1,700 per acre for mining up to 35 feet

\$2,400 per acre for 36 to 65 feet

\$5,000 per acre over 65 feet

The cost to establish the safety bench on water impoundments will be calculated based on the area around the perimeter of the impoundment multiplied by the width of the safety bench. The Department will use \$1,700 per acre for bonding the safety bench.

The Department will use the Bond Rate Schedule for spoil, storage and earthmoving (cost per cubic yard) for sites that will use unmarketable material to achieve the reclamation contours on unconsolidated material mine sites.

**Small Noncoal Sites**

For small noncoal sites that comply with 25 Pa. Code § 77.108(e)(4) (relating to permit for small noncoal operations) and the permit is 1 acre or less, the bond amount is \$1,500 per acre and an additional \$2,500 for mobilization/demobilization.

For small noncoal sites that comply with 25 Pa. Code § 77.108(e)(4) and the permit is over 1 acre, the following rates apply:

\$1,900 per acre for support

\$3,000 per acre for mining up to 35 feet

\$4,000 per acre for 36 to 65 feet

\$5,000 per acre over 65 feet

**Small Noncoal—Consolidated Material**

The Department will use the following rates for bonding permits mining consolidated material that need to exceed the 1-acre limit imposed by 25 Pa. Code § 77.108(e)(4). These are the rates that also apply to the General Permit for Bluestone (GP-105).

\$1,900 per acre for support  
 \$3,000 per acre for mining up to 35 feet  
 \$4,000 per acre for 36 to 65 feet  
 \$5,000 per acre over 65 feet  
 Additional \$2,500 for mobilization/demobilization

*Small Noncoal—Unconsolidated Material*

A flat rate of \$3,500 per acre should be used for small sand and gravel pits that exceed the 1-acre limitation of 25 Pa. Code § 77.108(e)(4).

*Effective Date:* February 2, 2019

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 19-149. Filed for public inspection February 1, 2019, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Real Estate for Sale Washington County

The Department of General Services (Department) will accept bids for the purchase of 5.186 acres ± of land and 38,566 square feet ± of building area located at 89 Murtland Avenue, City of Washington and South Strabane Township, Washington County. Bids are due Tuesday, April 16, 2019. Interested parties wishing to receive a copy of Solicitation No. 94978 should view the Department's web site at [www.dgs.pa.gov](http://www.dgs.pa.gov) or call Andrew Lick at (717) 772-8842.

CURTIS M. TOPPER,  
*Secretary*

[Pa.B. Doc. No. 19-150. Filed for public inspection February 1, 2019, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Health Research Advisory Committee Meeting

The Department of Health's Health Research Advisory Committee (Committee), established by section 903(b) of the Tobacco Settlement Act (35 P.S. § 5701.903(b)), will hold a public meeting on February 11, 2019, from 2 p.m. to 4 p.m. The meeting will be held in Room 129, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

The purpose of the meeting is to review the work of the Committee and to continue the planning process to establish the health research priorities for the State Fiscal Year 2020-2021.

For additional information or persons with disabilities who wish to attend the meeting and require an auxiliary aid, service or other accommodation, contact Penny E. Harris, MEd, CAC, LPC, Director, Health Research Office, or Sylvia Golas, DMD, MPH, Public Health Program Administrator, Health Research Office, (717) 231-2825, [ra-healthresearch@pa.gov](mailto:ra-healthresearch@pa.gov), by mail to Health and Welfare Building, Room 833, 625 Forster Street, Harrisburg, PA 17120-0701, or for speech and/or hearing-impaired per-

sons, 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 notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 19-151. Filed for public inspection February 1, 2019, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(e) (relating to prevention, control and surveillance of tuberculosis (TB)):

St. John Specialty Care Center  
 P.O. Box 928  
 500 Wittenberg Way  
 Mars, PA 16046  
 FAC ID # 970802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.33(a) (relating to utility room):

Brighton Rehabilitation and Wellness Center  
 246 Friendship Circle  
 Beaver, PA 15009  
 FAC ID # 020802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Sweden Valley Manor  
 1028 East Second Street  
 Coudersport, PA 16915  
 FAC ID # 455402

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Cheltenham Nursing and Rehabilitation Center  
 600 West Cheltenham Avenue  
 Philadelphia, PA 19126  
 FAC ID # 032202

Heinz Transitional Rehabilitation Unit  
 150 Mundy Street  
 Wilkes-Barre Township, PA 18702  
 FAC ID # 01370201

Masonic Village at Warminster  
 850 Norristown Road  
 Warminster, PA 18974  
 FAC ID # 310102

Simpson House  
 2101 Belmont Avenue  
 Philadelphia, PA 19131  
 FAC ID # 192802

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 19-152. Filed for public inspection February 1, 2019, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Newborn Screening and Follow-Up Program; Addition of a Disorder to the Mandatory Screening Panel

Under section 3(d) of the Newborn Child Testing Act (act) (35 P.S. § 623(d)), the Department of Health (Department), with the approval of the Newborn Screening and Follow-up Technical Advisory Board (Board), has the authority to establish by periodic publication in the *Pennsylvania Bulletin* changes to the lists under sections 3(a)(1) and (2) of the act those diseases for which newborn children shall be screened, laboratory screening results reported and follow-up services conducted.

The Department gives notice that, as recommended and approved by the Board on September 20, 2018, spinal muscular atrophy will be added to the mandatory screening panel, set forth in section 3(a)(1) of the act, effective March 1, 2019.

For additional information contact Stacey Gustin, Program Manager, Division of Newborn Screening and Genetics, (717) 783-8143. Speech and/or hearing-impaired persons use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 19-153. Filed for public inspection February 1, 2019, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Uniform Construction Code Review and Advisory Council Meeting

The Uniform Construction Code Review and Advisory Council will hold a meeting on Tuesday, February 12, 2019, at 10 a.m. at the Department of Labor and Industry, 651 Boas Street, Room E-100, 1st Floor, Harrisburg, PA 17121.

The Americans with Disability Act contact is Nathan Clark at (717) 772-9162.

Questions concerning this meeting may be directed to Nathan Clark at (717) 772-9162.

W. GERARD OLEKSIK,  
*Secretary*

[Pa.B. Doc. No. 19-154. Filed for public inspection February 1, 2019, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Lots O' Loot Fast Play Game 5049

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 Lots O' Loot (hereinafter "Lots O' Loot"). The game number is PA-5049.

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 Lots O' Loot ticket is \$5.

4. *Description of the Lots O' Loot lottery game:*

(a) The Lots O' Loot 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. Lots O' Loot 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) Lots O' Loot 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 Lots O' Loot 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 Lots O' Loot 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 Lots O' Loot game ticket and select the Lots O' Loot 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. *Lots O' Loot ticket characteristics:*

(a) A Lots O' Loot ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols:* Each Lots O' Loot ticket play area will contain a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols located in the "WINNING NUMBERS" area 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 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), and 40 (FRTY). The play symbols located in the "YOUR NUMBERS" area 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 (THIRTY), 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: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$40<sup>00</sup> (FORTY), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$5,000 (FIV THO) and \$50,000 (FTY THO).

(d) *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$500, \$1,000, \$5,000 and \$50,000.

(e) A player can win up to 12 times on a ticket.

(f) *Approximate Number of Tickets Available for the Game:* Approximately 1,800,000 tickets will be available for sale for the Lots O' Loot lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct an O' Lucky Day Second-Chance Drawing for which non-winning Lots O' Loot 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 Lots O' Loot 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 \$50,000 (FTY THO) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(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 \$5,000 (FIV THO) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(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 \$1,000 (ONE THO) appears in the "PRIZE" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(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 \$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.

(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 \$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.

(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 \$50<sup>00</sup> (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.

(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 \$40<sup>00</sup> (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.

(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 \$25.<sup>00</sup> (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.

(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 \$20.<sup>00</sup> (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.

(k) 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 \$10.<sup>00</sup> (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.

(l) 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 \$5.<sup>00</sup> (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 1,800,000 Tickets</i>
\$5	\$5	7.69	234,000
\$5 × 2	\$10	27.78	64,800
\$10	\$10	27.78	64,800
\$10 × 2	\$20	83.33	21,600
(\$5 × 2) + \$10	\$20	83.33	21,600
\$20	\$20	100	18,000
\$5 × 5	\$25	125	14,400
(\$5 × 3) + \$10	\$25	125	14,400
\$25	\$25	151.52	11,880
\$10 × 4	\$40	1,667	1,080
(\$5 × 2) + \$20 + \$10	\$40	1,667	1,080
(\$10 × 2) + \$20	\$40	1,667	1,080
\$40	\$40	5,000	360
\$25 × 2	\$50	1,000	1,800
(\$10 × 3) + \$20	\$50	1,000	1,800
(\$20 × 2) + (\$5 × 2)	\$50	1,000	1,800
\$50	\$50	1,000	1,800
\$50 × 2	\$100	6,000	300
(\$10 × 2) + (\$5 × 2) + \$50 + \$20	\$100	2,400	750
(\$20 × 2) + (\$10 × 4) + (\$5 × 4)	\$100	1,200	1,500
(\$25 × 2) + \$50	\$100	2,400	750
\$100	\$100	6,000	300
\$100 × 5	\$500	120,000	15
(\$100 × 2) + (\$50 × 4) + (\$20 × 4) + (\$10 × 2)	\$500	24,000	75
(\$100 × 3) + (\$50 × 2) + (\$25 × 4)	\$500	24,000	75
\$500	\$500	120,000	15
\$500 × 2	\$1,000	120,000	15
(\$100 × 3) + (\$50 × 3) + (\$20 × 2) + \$500 + \$10	\$1,000	24,000	75
\$1,000	\$1,000	120,000	15
\$1,000 × 5	\$5,000	360,000	5
(\$1,000 × 3) + (\$500 × 3) + (\$100 × 4) + (\$50 × 2)	\$5,000	360,000	5

<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 1,800,000 Tickets</i>
\$5,000	\$5,000	360,000	5
\$50,000	\$50,000	180,000	10

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* Pennsylvania Lottery's O'Lucky Day Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5049 Lots O' Loot (\$5) and PA-5050 Lucky Leprechaun (\$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 O'Lucky Day 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. February 4, 2019, through 11:59:59 p.m. March 21, 2019, will be entered into the Drawing to be held between March 22, 2019 and April 1, 2019.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) 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-5049 Lots O' Loot (\$5) = 5 entries; and PA-5050 Lucky Leprechaun (\$1) = 1 entry.

(5) 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) 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 entry selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(ii) The second entry selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall be entitled to a prize of \$10,000, less required income tax withholding.

(iii) The third through the fifth 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.

(3) All prizes will be paid as a lump-sum cash payment.

(4) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(5) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(6) 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 Lots O' Loot 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 Lots O' Loot 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 Lots O' Loot or through normal communications methods.

21. *Applicability:* This notice applies only to the Lots O' Loot lottery game announced in this notice.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 19-155. Filed for public inspection February 1, 2019, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Lucky Leprechaun Fast Play Game 5050

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 Lucky Leprechaun (hereinafter "Lucky Leprechaun"). The game number is PA-5050.

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 that, when played according to the instructions, determine whether a player wins a prize.

(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) *PRIZE LEGEND:* The area on the ticket that shows a player the corresponding prize that can be won by matching winning symbols.

(k) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

3. *Price:* The price of a Lucky Leprechaun ticket is \$1.

4. *Description of the Lucky Leprechaun lottery game:*

(a) The Lucky Leprechaun 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. Lucky Leprechaun 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) Lucky Leprechaun is played by finding at least four Coin symbols in the play area. Players finding four or more Coin symbols in this manner will win the corresponding prize shown in the PRIZE LEGEND. 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 Lucky Leprechaun 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 Lucky Leprechaun 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 Lucky Leprechaun game ticket and select the Lucky Leprechaun 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. *Lucky Leprechaun ticket characteristics:*

(a) A Lucky Leprechaun ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols:* Each Lucky Leprechaun ticket will contain one play area. The play symbols located in the play area are: Pot of Gold symbol, Purse symbol, Piggy Bank symbol, Handful of Coins symbol, 24K Bar symbol, Stack of Cash symbol, Money Bag symbol, Calendar symbol, Rainbow symbol, Barrel symbol, Horseshoe symbol, Shoe symbol, Clover symbol, Fiddle symbol, Hat symbol, Music Note symbol, Ladybug symbol, Balloons symbol, Harp symbol and a Coin symbol.

(c) *Prizes:* The prizes, located in the "PRIZE LEGEND," that can be won in this game are: \$1, \$2, \$5, \$10, \$15, \$20, \$50, \$100 and \$1,000.

(d) A player can win up to one time on a ticket.

(e) *Approximate Number of Tickets Available for the Game:* Approximately 1,200,000 tickets will be available for sale for the Lucky Leprechaun lottery game.

6. *Second-Chance Drawing:* The Pennsylvania Lottery will conduct an O'Lucky Day Second-Chance Drawing for which non-winning Lucky Leprechaun 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 Lucky Leprechaun prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Lucky Leprechaun ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which twelve (12) Coin symbols are found in the play area on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which eleven (11) Coin symbols are found in the play area on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which ten (10) Coin symbols are found in the play area on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which nine (9) Coin symbols are found in the play area on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which eight (8) Coin symbols are found in the play area on a single ticket, shall be entitled to a prize of \$15.

(h) Holders of tickets upon which seven (7) Coin symbols are found in the play area on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets upon which six (6) Coin symbols are found in the play area on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets upon which five (5) Coin symbols are found in the play area on a single ticket, shall be entitled to a prize of \$2.

(k) Holders of tickets upon which four (4) Coin symbols are found in the play area on a single ticket, shall be entitled to a prize of \$1.

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 You Find At Least Four "Coin" Symbols In The Play Area, Win Corresponding Prize Shown In The PRIZE LEGEND Below. Win With:</i>	<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets</i>
4 COIN SYMBOLS	\$1	6.90	174,000
5 COIN SYMBOLS	\$2	20	60,000
6 COIN SYMBOLS	\$5	32.26	37,200
7 COIN SYMBOLS	\$10	90.91	13,200
8 COIN SYMBOLS	\$15	2,500	480
9 COIN SYMBOLS	\$20	500	2,400
10 COIN SYMBOLS	\$50	3,000	400

<i>When You Find At Least Four "Coin" Symbols In The Play Area, Win Corresponding Prize Shown In The PRIZE LEGEND Below. Win With:</i>	<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 1,200,000 Tickets</i>
11 COIN SYMBOLS	\$100	12,000	100
12 COIN SYMBOLS	\$1,000	120,000	10

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Second-Chance Drawing:* Pennsylvania Lottery's O'Lucky Day Second-Chance Drawing for qualifying Fast Play lottery game tickets (hereafter, the "Drawing").

(a) *Qualifying Tickets:* Non-winning PA-5049 Lots O' Loot (\$5) and PA-5050 Lucky Leprechaun (\$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 O'Lucky Day 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. February 4, 2019, through 11:59:59 p.m. March 21, 2019, will be entered into the Drawing to be held between March 22, 2019 and April 1, 2019.

(3) The entry period for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(4) 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-5049 Lots O' Loot (\$5) = 5 entries; and PA-5050 Lucky Leprechaun (\$1) = 1 entry.

(5) 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) 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 entry selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall be entitled to a prize of \$50,000, less required income tax withholding.

(ii) The second entry selected in the Drawing will be a winning entry and the entrant who submitted the winning entry shall be entitled to a prize of \$10,000, less required income tax withholding.

(iii) The third through the fifth 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.

(3) All prizes will be paid as a lump-sum cash payment.

(4) The number of winning entries to be selected for the Drawing will be posted to the Pennsylvania Lottery's publicly accessible website.

(5) The odds of winning in the Drawing depend upon the number of entries received for the Drawing.

(6) 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 section. 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 Lucky Leprechaun 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 Lucky Leprechaun 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 Lucky Leprechaun or through normal communications methods.

21. *Applicability:* This notice applies only to the Lucky Leprechaun lottery game announced in this notice.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 19-156. Filed for public inspection February 1, 2019, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Fees for Optional REAL ID Products

Starting March 2019, the Department of Transportation will make REAL ID driver's licenses and identification cards available to residents of this Commonwealth who decide they want one and who are verified as eligible to have one. The REAL ID driver's license and identification cards will be subject to final certification by the United States Department of Homeland Security at a later date but will be valid for use as soon as they are issued.

The cost of a REAL ID Class C driver's license in March 2019 will be \$60.50, which is the sum of the one-time, \$30 REAL ID fee and the then-current Class C driver's license 4-year renewal fee (currently \$30.50). Because the cost of a REAL ID driver's license with additional classes or endorsements will be greater, commercial drivers with additional endorsements may choose to obtain a duplicate of their current license rather than a renewal—the current duplicate fee is \$29.50. Commercial drivers who choose this option will pay \$59.50 for their first REAL ID. The cost of a REAL ID identification card will be \$60.50, which is the sum of the one-time, \$30 REAL ID fee and the then-current identification card 4-year renewal fee (currently \$30.50). Individuals 65 years of age or older may opt for a \$20 2-year renewal, so a REAL ID Class C driver's license or REAL ID identification card would cost them currently \$50.

Individuals do not have to wait until it is time to renew their current, non-REAL ID driver's license or identification card before they acquire a REAL ID driver's license or identification card. Individuals who obtain a REAL ID driver's license or identification card before the expiration of their current, non-REAL ID driver's license or identification card will be issued a REAL ID driver's license or identification card with an expiration date that includes any time remaining on the non-REAL ID license or identification card, plus the standard 4 years of a renewal. Individuals 65 years of age or older who choose the 2-year renewal option will be issued a REAL ID driver's license or identification card with the balance of the time on their current card plus 2 years. Subsequent renewals of REAL ID driver's licenses or identification cards will cost the same as renewing non-REAL ID licenses or identification cards; the \$30 REAL ID fee will be charged only for the initial issuance of the REAL ID driver's license or identification card.

Individuals who have never had a driver's license or identification card but want a REAL ID driver's license or identification card will pay the then-current fee for an initial, Class C driver's license (currently \$35.50) or the then-current fee for an initial identification card (currently \$30.50); plus the \$30 REAL ID fee.

LESLIE S. RICHARDS,  
Secretary

[Pa.B. Doc. No. 19-157. Filed for public inspection February 1, 2019, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-5727	State Board of Veterinary Medicine Certified Veterinary Technicians and Veterinary Assistants 48 Pa.B. 7313 (November 24, 2018)	12/24/18	1/23/19

### State Board of Veterinary Medicine Regulation # 16A-5727 (IRRC # 3221)

#### Certified Veterinary Technicians and Veterinary Assistants

January 23, 2019

We submit for your consideration the following comments on the proposed rulemaking published in the November 24, 2018 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the State Board of Veterinary Medicine (Board) to respond to all comments received from us or any other source.

#### 1. Section 31.1. Definitions.—Clarity.

The Board is amending the definition of “direct veterinary supervision” by adding an “other licensed professional” to the list of professionals that could be supervised by a veterinarian. The Preamble explains that § 31.21 (relating to rules of professional conduct for veterinarians) allows veterinarians to seek the assistance of other licensed professionals when providing care. Principle 6(b) of that section lists the other licensed professionals that could work under the supervision of a veterinarian. To improve the clarity of this definition, we suggest that the final-form regulation include a reference to § 31.21 Principle 6(b) or specifically list the other licensed professionals.

#### 2. Section 31.34. Qualification for examination.—Clarity.

This section states that an applicant shall be a graduate of an approved school. It is being amended to allow veterinary technician students to sit for the Veterinary Technician National Examination when they are enrolled in the final year of an approved program and have completed at least half the credits required for completion of the program. Section 31.1 (relating to definitions) defines “approved school” as “a school accredited by the American Veterinary Medical Association, including provisionally, probationally and fully accredited programs.” To improve the clarity of the rulemaking, we suggest that the reference to “approved program” be amended to “a program at an approved school.”

#### 3. Section 31.35. Examinations.—Clarity.

Subsection (c)(3) is being amended to add details related to waiver of the exam requirements for individuals licensed in another state. The Preamble indicates that the intent of this amendment, among other things, is to specify that the requirements in the other state must be “at least equal to those of the Commonwealth.” The proposed amendment deletes the “at least equal to” language, but does not replace it with similar language. To ensure that the proposed changes are consistent with the Board’s intent, we suggest that language be added to the final-form regulation that specifies the requirements of other states be “at least equal to those of the Commonwealth.”

In addition, new Subsection (d) would require applicants applying by reciprocity to submit a copy of their credential from the other state and “proof of current good standing.” We believe the clarity of this subsection would be improved if it used language found in Section 31.32(a)(4), relating to certification, that uses the phrase “a letter of good standing from the licensure board.”

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 19-158. Filed for public inspection February 1, 2019, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control of Pennsylvania Physicians Reciprocal Insurers

TPP AIF, LLC, a Connecticut limited liability company, has filed an application to acquire control of Pennsylvania Physicians Reciprocal Insurers, a Pennsylvania domiciled reciprocal and inter-insurance exchange. The filing was received on January 16, 2019, and was made under the requirements of Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1413).

Persons wishing to comment on this acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*.

Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, cbybee@pa.gov. Com-

ments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 19-159. Filed for public inspection February 1, 2019, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Eligible Surplus Lines Insurer List

In accordance with section 1605(b) of The Insurance Company Law of 1921 (40 P.S. § 991.1605(b)), the Insurance Department (Department) publishes the most recent Eligible Surplus Lines Insurer List. This list replaces in its entirety the Eligible Surplus Lines Insurer List published at 48 Pa.B. 375 (January 13, 2018).

Persons with questions concerning this notice should contact Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735, cbybee@pa.gov.

Key#	Company Name	Statutory Home Address
10512	ADMIRAL INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10513	ADRIATIC INSURANCE COMPANY	314 EAST THAYER AVENUE BISMARCK, ND 58501
39135	AGENT ALLIANCE INSURANCE COMPANY	3800 SOLLIE ROAD MOBILE, AL 36619
119792	AIG EUROPE LIMITED	AIG BUILDING 58 FENCHURCH STREET LONDON, United Kingdom EC3M 4AB
10521	AIG SPECIALTY INSURANCE COMPANY	500 WEST MADISON STREET SUITE 3000 CHICAGO, IL 60661
93838	AIOI NISSAY DOWA INSURANCE COMPANY OF AMERICA	60 EAST 42ND STREET SUITE 2430 NEW YORK, NY 10165
67489	AIX SPECIALTY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801-1120
48099	ALLIANZ GLOBAL CORPORATE & SPECIALTY SE	KONIGINASTRASSE 28 MUNICH, Germany D80802
10516	ALLIANZ UNDERWRITERS INSURANCE COMPANY	225 W. WASHINGTON STREET SUITE 1800 CHICAGO, IL 60606
10535	ALLIED WORLD ASSURANCE COMPANY (U.S.) INC.	251 LITTLE FALLS DRIVE SUITE 400 WILMINGTON, DE 19808
10600	ALLIED WORLD SURPLUS LINES INSURANCE COMPANY	425 WEST CAPITOL AVENUE SUITE 1800 LITTLE ROCK, AR 72201-3525
106563	ALLY INTERNATIONAL INSURANCE COMPANY LTD	VICTORIA HALL 11 VICTORIA STREET HAMILTON, Bermuda HM11
10519	AMERICAN EMPIRE SURPLUS LINES INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10520	AMERICAN EQUITY INSURANCE COMPANY	20860 N TATUM BOULEVARD SUITE 400 PHOENIX, AZ 85050
127915	AMERICAN INTERNATIONAL GROUP UK LIMITED	THE AIG BUILDING 58 FENCHURCH STREET LONDON, United Kingdom EC3M4AB
63828	AMERICAN MODERN SURPLUS LINES INSURANCE COMPANY	7000 MIDLAND BLVD AMELIA, OH 45102-2607

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
107529	AMERICAN NATIONAL LLOYDS INSURANCE COMPANY	ONE MOODY PLAZA GALVESTON, TX 77550
104146	AMERICAN SAFETY INSURANCE COMPANY	3715 NORTHSIDE PARKWAY ATLANTA, GA 30327-2806
10522	AMERICAN WESTERN HOME INSURANCE COMPANY	600 BANK OF OKLAHOMA PLAZA OKLAHOMA CITY, OK 73102
83774	AMTRUST INTERNATIONAL UNDERWRITERS DAC	40 WESTLAND ROW DUBLIN, Ireland 2
10524	APPALACHIAN INSURANCE COMPANY	270 CENTRAL AVENUE JOHNSTON, RI 02919-4949
33748	ARCH EXCESS & SURPLUS INSURANCE COMPANY	2345 GRAND BOULEVARD SUITE 900 KANSAS CITY, MO 64108
97477	ARCH INSURANCE COMPANY (EUROPE) LIMITED	6TH FLOOR PLANTATION PLACE SOUTH 60 GREAT TOWER STREET LONDON, United Kingdom EC3R 5AZ
10587	ARCH SPECIALTY INSURANCE COMPANY	2345 GRAND BOULEVARD SUITE 900 KANSAS CITY, MO 64108
10588	ARWOOD SURPLUS LINES INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
51442	ASPEN INSURANCE UK LIMITED	30 FENCHURCH STREET LONDON, United Kingdom EC3M 3BD
35611	ASPEN SPECIALTY INSURANCE COMPANY	314 EAST THAYER AVENUE BISMARCK, ND 58501
22348	ASSICURAZIONI GENERALI S.P.A.	PIAZZA DUCA DEGLI ABRUZZI, 2 TRIESTE, Italy 34132
22349	ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LIMITED	THE MAXWELL ROBERTS BUILDING 4TH FLOOR ONE CHURCH STREET HAMILTON, Bermuda HM11
94396	ASSOCIATED INDUSTRIES INSURANCE COMPANY	903 N W 65TH STREET SUITE 300 BOCA RATON, FL 33487-2864
52712	ATAIN INSURANCE COMPANY	2301 E. LAMAR BOULEVARD 5TH FLOOR ARLINGTON, TX 76006
127831	ATEGRITY SPECIALTY INSURANCE COMPANY	CORPORATION CENTER 1209 ORANGE STREET WILMINGTON, DE 19801
41586	ATLANTIC CASUALTY INSURANCE COMPANY	400 COMMERCE COURT GOLDSBORO, NC 27534
127473	AVIVA INSURANCE LIMITED	PITHEAVLIS PERTH PH2 ONH SCOTLAND, United Kingdom
41562	AXA CORPORATE SOLUTIONS ASSURANCE	4 RUE JULES LEFEBVRE PARIS, France 75009
59554	AXIS SPECIALTY EUROPE SE	MOUNT HERBERT COURT 34 UPPER MOUNT STREET DUBLIN, Ireland 2
10592	AXIS SURPLUS INSURANCE COMPANY	111 SOUTH WACKER DRIVE SUITE 3500 CHICAGO, IL 60606
10584	BERKLEY ASSURANCE COMPANY	11201 DOUGLAS AVENUE URBAN DALE, IA 50322



<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
75458	BERKLEY SPECIALTY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801-1120
63055	BERKSHIRE HATHAWAY INTERNATIONAL INSURANCE LIMITED	33 ST MARY AXE LONDON, United Kingdom EC3A 8LL
79945	BLACKBOARD SPECIALTY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
116246	BLUE HILL SPECIALTY INSURANCE COMPANY INC.	C/O CT CORPORATION SYSTEM 208 SOUTH LASALLE STREET SUITE 814 CHICAGO, IL 60604
8689	BURLINGTON INSURANCE COMPANY	238 INTERNATIONAL ROAD BURLINGTON, NC 27215-5129
10528	CANAL INDEMNITY COMPANY	400 EAST STONE AVENUE GREENVILLE, SC 29601
75544	CANOPIUS US INSURANCE, INC	C/O THE CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
48319	CAPITOL SPECIALTY INSURANCE CORPORATION	1600 ASPEN COMMONS MIDDLETON, WI 53562
63239	CATLIN SPECIALTY INSURANCE COMPANY	C/O THE CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
10529	CENTENNIAL CASUALTY COMPANY	2200 WOODCREST PLACE SUITE 200 BIRMINGHAM, AL 35209
10531	CENTURY SURETY COMPANY	550 POLARIS PARKWAY WESTERVILLE, OH 43082
10532	CHUBB CUSTOM INSURANCE COMPANY	202B HALL'S MILL ROAD WHITEHOUSE STATION, NJ 08889
48123	CHUBB EUROPEAN GROUP SE	100 LEADENHALL STREET LONDON, United Kingdom EC3A 3BP
72782	CINCINNATI SPECIALTY UNDERWRITERS INSURANCE COMPANY (THE)	BRANDYWINE VILLAGE 1807 NORTH MARKET STREET WILMINGTON, DE 19802-4810
45736	CLEAR BLUE SPECIALTY INSURANCE COMPANY	6100 FAIRVIEW ROAD UNIT 103 CHARLOTTE, NC 28210
118669	CM VANTAGE SPECIALTY INSURANCE COMPANY	3000 SCHUSTER LANE MERRILL, WI 54452
10533	COLONY INSURANCE COMPANY	8720 STONY POINT PARKWAY SUITE 300 RICHMOND, VA 23235
10534	COLUMBIA CASUALTY COMPANY	151 N. FRANKLIN STREET CHICAGO, IL 60606
86914	CONIFER INSURANCE COMPANY	550 W. MERRILL STREET SUITE 200 BIRMINGHAM, MI 48009
115462	COVERYS SPECIALTY INSURANCE COMPANY	67 EAST PARK PLACE SUITE 703 MORRISTOWN, NJ 07960
96047	COVINGTON SPECIALTY INSURANCE COMPANY	c/o NIXON PEABODY LLP 900 ELM STREET MANCHESTER, NH 03101
37372	CRUM & FORSTER SPECIALTY INSURANCE COMPANY	2999 NORTH 44TH STREET SUITE 250 PHOENIX, AZ 85018

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
126299	CRYSTAL RIDGE SPECIALTY INSURANCE COMPANY INC.	104 SOUTH MICHIGAN AVENUE SUITE 600 CHICAGO, IL 60603
66658	CUMIS SPECIALTY INSURANCE COMPANY, INC.	2000 HERITAGE WAY WAVERLY, IA 50677
37001	DISCOVER SPECIALTY INSURANCE COMPANY	ONE TOWER SQUARE HARTFORD, CT 06183
125558	DORCHESTER INSURANCE COMPANY, LTD.	6-7 DRONNINGENS GABE SUITE 202 ST. THOMAS, VI 00802-1520
10541	EMPIRE INDEMNITY INSURANCE COMPANY	BROADWAY EXECUTIVE PARK 9 200 NW 66TH STREET SUITE 965 OKLAHOMA CITY, OK 73116
63338	ENDURANCE AMERICAN SPECIALTY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
94256	ENDURANCE SPECIALTY INSURANCE LTD	WATERLOO HOUSE 100 PITTS BAY ROAD PEMBROKE, Bermuda HM 08
111852	ENDURANCE WORLDWIDE INSURANCE LIMITED	1ST FLOOR, 2 MINSTER COURT MINCING LANE LONDON, United Kingdom EC3R 788
127083	ENERGY INSURANCE MUTUAL LIMITED	CHANCERY HOUSE HIGH STREET BRIDGETOWN, Barbados
10543	EVANSTON INSURANCE COMPANY	TEN PARKWAY NORTH DEERFIELD, IL 60015
10544	EVEREST INDEMNITY INSURANCE COMPANY	CORPORATION TRUST CENTER 1209 ORANGE STREET WILMINGTON, DE 19801
10545	EXECUTIVE RISK SPECIALTY INSURANCE COMPANY	202B HALL'S MILL ROAD WHITEHOUSE STATION, NJ 08889
105001	FAIR AMERICAN SELECT INSURANCE COMPANY	80 PINE STREET NEW YORK, NY 10005
126696	FALLS LAKE FIRE AND CASUALTY COMPANY	6131 FALLS OF NEUSE ROAD SUITE 306 RALEIGH, NC 27609
10549	FIRST MERCURY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
10550	FIRST SPECIALTY INSURANCE CORPORATION	237 EAST HIGH STREET JEFFERSON CITY, MO 65101-3206
127476	FITCHBURG MUTUAL INSURANCE COMPANY	222 AMES STREET DEDHAM, MA 02026-1850
18477	GEMINI INSURANCE COMPANY	CORPORATION TRUST CENTER 1209 ORANGE STREET WILMINGTON, DE 19801
10552	GENERAL SECURITY INDEMNITY COMPANY OF ARIZONA	2338 W. ROYAL PALM ROAD SUITE J PHOENIX, AZ 85021
10554	GENERAL STAR INDEMNITY COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
58119	GEOVERA SPECIALTY INSURANCE COMPANY	251 LITTLE FALLS DRIVE WILMINGTON, DE 19808
73754	GNY CUSTOM INSURANCE COMPANY	200 MADISON AVENUE NEW YORK, NY 10016-3904
123319	GOLDEN BEAR INSURANCE COMPANY	1550 WEST FREMONT STREET 2ND FLOOR STOCKTON, CA 95203

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10556	GOTHAM INSURANCE COMPANY	59 MAIDEN LANE 27TH FLOOR NEW YORK, NY 10038
10514	GREAT AMERICAN E & S INSURANCE COMPANY	THE CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
10518	GREAT AMERICAN FIDELITY INSURANCE COMPANY	THE CORPORATION TRUST COMPANY 1209 ORANGE STREET WILMINGTON, DE 19801
10540	GREAT AMERICAN PROTECTION INSURANCE COMPANY	301 EAST FOURTH STREET CINCINNATI, OH 45202
22412	GREAT LAKES INSURANCE SE	KONIGINSTR 107 MUNICH, Germany 80802
100854	GUIDEONE NATIONAL INSURANCE COMPANY	1111 ASHWORTH ROAD WEST DES MOINES, IA 50265-3538
36489	GUILFORD INSURANCE COMPANY	C/O HINSHAW & CULBERTSON, LLP 400 SOUTH NINTH STREET SUITE 200 SPRINGFIELD, IL 62701-1822
10557	GULF UNDERWRITERS INSURANCE COMPANY	ONE TOWER SQUARE HARTFORD, CT 06183
103324	HALLMARK SPECIALTY INSURANCE COMPANY	201 ROBERT S. KERR AVENUE SUITE 600 OKLAHOMA CITY, OK 73102
126737	HANOVER ATLANTIC INSURANCE COMPANY, LTD. (THE)	CANONS COURT 22 VICTORIA STREET HAMILTON, Bermuda HM12
66133	HCC SPECIALTY INSURANCE COMPANY	201 ROBERT S. KERR AVENUE OKLAHOMA, OK 73102-4267
28076	HDI GLOBAL SPECIALTY SE	2ND FLOOR, 1 ARLINGTON SQUARE DOWNSHIRE WAY BERKSHIRE, United Kingdom RG12 1WA
123955	HDI SPECIALTY INSURANCE COMPANY	161 N. CLARK STREET 48TH FLOOR CHICAGO, IL 60601
121546	HELVETIA SWISS INSURANCE COMPANY IN LIECHTENSTEIN LTD.	HERRENGASSE 11 9490 VADUZ LIECHTENSTEIN, Lichtenstein
100960	HOMELAND INSURANCE COMPANY OF DELAWARE	1209 ORANGE STREET WILMINGTON, DE 19801
44169	HOMELAND INSURANCE COMPANY OF NEW YORK	1000 WOODBURY ROAD SUITE 403 WOODBURY, NY 11797
124435	HOUSING SPECIALTY INSURANCE COMPANY, INC.	148 COLLEGE STREET BURLINGTON, VT 05401
10559	HOUSTON CASUALTY COMPANY	13403 NORTHWEST FREEWAY HOUSTON, TX 77040
75182	HOUSTON SPECIALTY INSURANCE COMPANY	800 GESSNER SUITE 600 HOUSTON, TX 77024
102374	HSB SPECIALTY INSURANCE COMPANY	ONE STATE STREET HARTFORD, CT 06102-5024
106322	HUDSON EXCESS INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
37373	HUDSON SPECIALTY INSURANCE COMPANY	100 WILLIAM STREET 5TH FLR. NEW YORK, NY 10038

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10560	ILLINOIS EMCASCO INSURANCE COMPANY	717 MULBERRY STREET DES MOINES, IA 50309-3872
10561	ILLINOIS UNION INSURANCE COMPANY	525 WEST MONROE STREET SUITE 700 CHICAGO, IL 60661
10547	INDEPENDENT SPECIALTY INSURANCE COMPANY	160 GREENTREE DRIVE SUITE 101 DOVER, DE 19904
10562	INDIAN HARBOR INSURANCE COMPANY	c/o THE CORPORATION TRUST CO. 1209 ORANGE STREET WILMINGTON, DE 19801
10564	INTERSTATE FIRE & CASUALTY COMPANY	225 WEST WASHINGTON STREET SUITE 1800 CHICAGO, IL 60606
103749	IRONSHORE EUROPE DAC	33 SIR JOHN ROGERSON'S QUAY 2ND FLOOR DUBLIN, Ireland 2
70118	IRONSHORE INSURANCE LTD.	141 FRONT STREET HAMILTON, Bermuda HM19
10596	IRONSHORE SPECIALTY INSURANCE COMPANY	8601 NORTH SCOTTSDALE ROAD SUITE 300 SCOTTSDALE, AZ 85253
119790	ISMIE INDEMNITY COMPANY	20 NORTH MICHIGAN AVENUE SUITE 700 CHICAGO, IL 60602-4811
10546	JAMES RIVER INSURANCE COMPANY	52 EAST GAY STREET COLUMBUS, OH 43215
36855	KINSALE INSURANCE COMPANY	425 W. CAPITOL AVENUE SUITE 1800 LITTLE ROCK, AR 72201
108670	KNIGHT SPECIALTY INSURANCE COMPANY	BRANDYWINE VILLAGE 1807 NORTH MARKET STREET WILMINGTON, DE 19802-4810
80046	LANCASHIRE INSURANCE COMPANY (UK) LIMITED	20 FENCHURCH STREET 29TH FLR. LONDON, United Kingdom EC3M 3BY
75297	LANCASHIRE INSURANCE COMPANY LIMITED	POWERHOUSE 7 PAR-LA-VILLE ROAD HAMILTON, Bermuda HM 11
8967	LANDMARK AMERICAN INSURANCE COMPANY	201 ROBERT KERR AVENUE SUITE 600 OKLAHOMA CITY, OK 73102-4267
10569	LEXINGTON INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
22415	LIBERTY MUTUAL INSURANCE EUROPE SE	3RD FLOOR, TWO MINSTER COURT MINCING LANE LONDON, United Kingdom EC3R 7YE
18457	LIBERTY SURPLUS INSURANCE CORPORATION	175 BERKELEY STREET BOSTON, MA 02117
22416	LLOYD'S, LONDON (UNDERWRITERS AT)**	ONE LIME STREET LONDON, United Kingdom EC3M7HA
92689	MAPFRE GLOBAL RISKS COMPANIA INTERNACIONAL DE SEGUROS Y REASEGUROS S A	CARRETERA POZUELO 52 EDIFICIO M-11 MADRID, Spain
22418	MARINE INSURANCE COMPANY LIMITED	ST MARKS COURT. CHART WAY HORSHAM, WEST SUSSEX ENGLAND, Great Britain RH 12 1XL



<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
22455	MARKEL INTERNATIONAL INSURANCE COMPANY LIMITED	THE MARKEL BUILDING 49 LEADENHALL STREET LONDON, United Kingdom EC3A2EA
10527	MAXUM INDEMNITY COMPANY	ONE HARTFORD PLAZA HARTFORD, CT 06155
69016	MEDICAL MUTUAL LIABILITY INSURANCE SOCIETY OF MARYLAND	225 INTERNATIONAL CIRCLE HUNT VALLEY, MD 21030
104147	MEDICAL SECURITY INSURANCE COMPANY	700 SPRING FOREST ROAD SUITE 400 RALEIGH, NC 27609
75542	MERCHANTS NATIONAL INSURANCE COMPANY	5 BEDFORD FARMS SUITE 101 BEDFORD, NH 03110
10553	MESA UNDERWRITERS SPECIALTY INSURANCE COMPANY	40 WANTAGE AVENUE BRANCHVILLE, NJ 07890
96043	ID-CONTINENT EXCESS AND SURPLUS INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801
75518	MITSUI SUMITOMO INSURANCE COMPANY (EUROPE) LIMITED	25 FENCHURCH AVENUE LONDON, United Kingdom EC3M 5AD
10571	MT. HAWLEY INSURANCE COMPANY	9025 N. LINDBERGH DRIVE PEORIA, IL 61615
10572	NAMIC INSURANCE COMPANY, INC.	3601 VINCENNES ROAD INDIANAPOLIS, IN 46268
10573	NATIONAL FIRE & MARINE INSURANCE COMPANY	1314 DOUGLAS STREET SUITE 1400 OMAHA, NE 68102-1944
10574	NAUTILUS INSURANCE COMPANY	7233 E. BUTHERUS DRIVE SCOTTSDALE, AZ 85260
10575	NAVIGATORS SPECIALTY INSURANCE COMPANY	ONE PENN PLAZA 32nd FLOOR NEW YORK, NY 10119-0002
10537	NOETIC SPECIALTY INSURANCE COMPANY	100 EAST STATE STREET MONTPELIER, VT 05602
9009	NORCAL SPECIALTY INSURANCE COMPANY	6034 WEST COURTYARD DRIVE SUITE 310 AUSTIN, TX 78730
10576	NORTH AMERICAN CAPACITY INSURANCE COMPANY	650 ELM STREET MANCHESTER, NH 03101-2524
79123	NORTH LIGHT SPECIALTY INSURANCE COMPANY	2775 SANDERS ROAD NORTHBROOK, IL 60062-7127
10577	NORTHFIELD INSURANCE COMPANY	505 5TH AVENUE SUITE 729 DES MOINES, IA 50309
22421	OCEAN MARINE INSURANCE COMPANY LIMITED	ST. HELEN'S 1 UNDERSHAFT LONDON, United Kingdom EC3P3DQ
127475	OKLAHOMA SPECIALTY INSURANCE COMPANY	201 ROBERT S. KERR SUITE 600 OKLAHOMA CITY, OK 73102
10579	OLD REPUBLIC UNION INSURANCE COMPANY	307 NORTH MICHIGAN AVENUE CHICAGO, IL 60601
10566	PACIFIC INSURANCE COMPANY, LIMITED	ONE HARTFORD PLAZA HARTFORD, CT 06155
99478	PARTNERRE IRELAND INSURANCE DAC	5TH FLOOR, BLOCK 1, THE OVAL 160 SHELBOURNE ROAD BALLSBRIDGE DUBLIN, Ireland 4

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
10582	PELEUS INSURANCE COMPANY	8720 STONY POINT PARKWAY SUITE 300 RICHMOND, VA 23235
58179	PENN-PATRIOT INSURANCE COMPANY	526 KING STREET ALEXANDRIA, VA 22314
74667	PRIME INSURANCE COMPANY	303 WEST MADISON # 2075 CHICAGO, IL 60606
23150	PRINCETON EXCESS AND SURPLUS LINES INSURANCE COMPANY	2711 CENTERVILLE ROAD SUITE 400 WILMINGTON, DE 19808
44436	PROASSURANCE SPECIALTY INSURANCE COMPANY, INC.	100 BROOKWOOD PLACE SUITE 500 BIRMINGHAM, AL 35209
117812	PROFESSIONAL SECURITY INSURANCE COMPANY	C/O S. DAVID CHILDERS KUTAK ROCK, LLP 8601 N. SCOTTSDALE ROAD SUITE 300 SCOTTSDALE, AZ 85253-2742
75543	PROTECTIVE SPECIALTY INSURANCE COMPANY	111 CONGRESSIONAL BLVD SUITE 500 CARMEL, IN 46032
47448	QBE SPECIALTY INSURANCE COMPANY	314 EAST THAYER AVENUE BISMARCK, ND 58501
22449	QBE UK LIMITED	PLANTATION PLACE 30 FENCHURCH STREET LONDON, United Kingdom EC3M 3BD
117810	RADNOR SPECIALTY INSURANCE COMPANY	10330 REGENCY PARKWAY DRIVE SUITE 100 OMAHA, NE 68114
70898	REPUBLIC-VANGUARD INSURANCE COMPANY	2390 E. CAMELBACK ROAD PHOENIX, AZ 85016
10603	ROCKHILL INSURANCE COMPANY	8601 N. SCOTTSDALE ROAD SUITE 300 SCOTTSDALE, AZ 85253
122122	ROCKINGHAM INSURANCE COMPANY	633 EAST MARKET STREET HARRISONBURG, VA 22801
10589	SAFECO SURPLUS LINES INSURANCE COMPANY	62 MAPLE AVENUE KEENE, NH 03431
86970	SAFETY SPECIALTY INSURANCE COMPANY	1832 SCHUETZ ROAD ST. LOUIS, MO 63146
10590	SAVERS PROPERTY AND CASUALTY INSURANCE COMPANY	120 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
94496	SCOR UK COMPANY LIMITED	10 LIME STREET LONDON, United Kingdom EC3M 7AA
10591	SCOTTSDALE INSURANCE COMPANY	ONE NATIONWIDE PLAZA COLUMBUS, OH 43215
107528	SCOTTSDALE SURPLUS LINES INSURANCE COMPANY	8877 N GAINNEY CENTER DRIVE SCOTTSDALE, AZ 85258-2108
44276	SENECA SPECIALTY INSURANCE COMPANY	2999 NORTH 44TH STREET SUITE 250 P HOENIX, AZ 85018-7256
33514	SIRIUS INTERNATIONAL INSURANCE CORPORATION	BIRGER JARISGATAN 57B STOCKHOLM, Sweden SE 113 96
10593	ST. PAUL SURPLUS LINES INSURANCE COMPANY	251 LITTLE FALLS DRIVE WILMINGTON, DE 19808
79898	STARR SURPLUS LINES INSURANCE COMPANY	8401 NORTH CENTRAL EXPRESSWAYS, # 890 DALLAS, TX 75225

<i>Key#</i>	<i>Company Name</i>	<i>Statutory Home Address</i>
98475	STARSTONE INSURANCE SE	ZOLLSTRASSE 82 9494 SCHAAN LIECHTENSTEIN, Lichtenstein
40659	STARSTONE SPECIALTY INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801-1120
10594	STEADFAST INSURANCE COMPANY	251 LITTLE FALLS DRIVE WILMINGTON, DE 19808
22453	SWISS RE INTERNATIONAL SE	2A, RUE ALBERT BORSCHETTE KIRCHBERG, Luxembourg L1246
10583	TDC SPECIALTY INSURANCE COMPANY	1050 K STREET SUITE 400 WASHINGTON, DC 20001
123370	THIRD COAST INSURANCE COMPANY	15200 WEST SMALL ROAD NEW BERLIN, WI 53151
22456	THROUGH TRANSPORT MUTUAL INSURANCE ASSOCIATION LIMITED	FIRST FLOOR CHEVRON HOUSE 11 CHURCH STREET HAMILTON, Bermuda HM11
73071	TOKIO MARINE KILN INSURANCE LIMITED	20 FENCHURCH STREET LONDON, United Kingdom EC3M 3BY
8705	TOKIO MARINE SPECIALTY INSURANCE COMPANY	1807 NORTH MARKET STREET WILMINGTON, DE 19802
10597	TRAVELERS EXCESS AND SURPLUS LINES COMPANY	ONE TOWER SQUARE HARTFORD, CT 06183
126596	TRISURA SPECIALTY INSURANCE COMPANY	210 PARK AVENUE SUITE 1400 OKLAHOMA CITY, OK 73102
54486	TT CLUB MUTUAL INSURANCE LIMITED	90 FENCHURCH STREET LONDON, United Kingdom ECM 4ST
10598	TUDOR INSURANCE COMPANY	300 KIMBALL DRIVE SUITE 500 PARSIPPANY, NJ 07054
10599	U.S. UNDERWRITERS INSURANCE COMPANY	316 NORTH FIFTH STREET SIXTH FLOOR BISMARCK, ND 58501
64798	UNITED SPECIALTY INSURANCE COMPANY	160 GREENTREE DRIVE SUITE 101 DOVER, DE 19904
82097	UTICA SPECIALTY RISK INSURANCE COMPANY	2435 N CENTRAL EXPRESSWAY SUITE 400 RICHARDSON, TX 75080
125260	VAULT E&S INSURANCE COMPANY	C/O MITCHELL, WILLIAMS, SELIG, GATES & WOODYARD 425 WEST CAPITOL AVENUE SUITE 1800 LITTLE ROCK, AR 72201-3525
10605	VOYAGER INDEMNITY INSURANCE COMPANY	260 INTERSTATE NORTH CIRCLE SE ATLANTA, GA 30339
117811	WATFORD SPECIALTY INSURANCE COMPANY	445 SOUTH STREET SUITE 15824 P.O. BOX 1988 MORRISTOWN, NJ 07962-1988
10607	WESTCHESTER SURPLUS LINES INSURANCE COMPANY	11575 GREAT OAKS WAY SUITE 200 ALPHARETTA, GA 30022
10608	WESTERN HERITAGE INSURANCE COMPANY	9200 E. PIMA CENTER PKWY SUITE 350 SCOTTSDALE, AZ 85258

Key#	Company Name	Statutory Home Address
10610	WESTERN WORLD INSURANCE COMPANY	300 KIMBALL DRIVE SUITE 500 PARSIPPANY, NJ 07054
49219	WILSHIRE INSURANCE COMPANY	702 OBERLIN ROAD RALEIGH, NC 27605-0800
64641	XL CATLIN INSURANCE COMPANY UK LIMITED	20 GRACECHURCH STREET LONDON, United Kingdom 3C3V OBG
10604	XL SELECT INSURANCE COMPANY	1209 ORANGE STREET WILMINGTON, DE 19801

\*\*The list does not include Lloyds Syndicates nor does the Department maintain a separate list of Lloyds Syndicates. Any Lloyds Syndicate appearing on the most recent Quarterly Listing of Alien Insurers maintained by the International Insurers Department of the National Association of Insurance Commissioners is approved to transact surplus lines insurance in this Commonwealth.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 19-160. Filed for public inspection February 1, 2019, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Medical Malpractice Insurance Carriers; Pennsylvania Medical Malpractice Data Call (Act 13 of 2002 Data Call)

The Insurance Department (Department) is conducting a medical malpractice data call to study the availability of additional basic coverage capacity in this Commonwealth medical malpractice marketplace. This data call is required by section 711(d)(3) of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.711(d)(3)).

Consistent with prior data calls promulgated under section 711(d)(3) of the MCARE Act, the cover letter, exhibits and templates are available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (select "Companies," then "Industry Activity," then "Data Calls"). Additionally, an e-mail announcing the data call was sent on February 1, 2019, to all medical malpractice insurers with positive direct written premium in this Commonwealth in 2017.

Each insurer providing medical professional liability insurance in this Commonwealth is required to respond to the data call no later than March 1, 2019. Insurers with positive medical malpractice direct written premium in this Commonwealth in 2017 are identified in Exhibit 2 of the data call and a response is required from each insurer listed. Data for more than one insurer should not be combined into a single submission.

Insurers have the option to designate their National Association of Insurance Commissioners (NAIC) Annual Statements as their response to the data call. If this designation is chosen, the Department will access the necessary Annual Statement data from the NAIC web site and the insurer will have no further reporting requirement.

Questions regarding this data call should be directed to Dennis Sloand, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 214-1927, [desloand@pa.gov](mailto:desloand@pa.gov).

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 19-161. Filed for public inspection February 1, 2019, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Medical Professional Liability Insurance Study

The Insurance Department is conducting a medical professional liability insurance study to determine whether sufficient capacity exists to increase the basic coverage limits of insurance required by the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. §§ 1303.101—1303.910).

Sections 711—716 of the MCARE Act (40 P.S. §§ 1303.711—1303.716) established, among other things, the MCARE Fund and the basic coverage limits for medical professional liability that each health care provider participating in the MCARE Fund must insure or self-insure. With certain exceptions, once the basic coverage limits are exhausted, the MCARE Fund provides excess insurance coverage.

Sections 711—716 of the MCARE Act also provide a schedule for the basic coverage limits to be increased with the MCARE Fund eventually being eliminated. However, the basic coverage limits are only to be increased after the Insurance Commissioner finds, under a study, that additional basic insurance capacity exists. A study is required at this time under the MCARE Act.

Interested parties that wish to comment on whether sufficient insurance capacity exists to increase the basic coverage limits of medical professional liability insurance are invited to submit written comments to Dennis Sloand, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [desloand@pa.gov](mailto:desloand@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 19-162. Filed for public inspection February 1, 2019, 9:00 a.m.]

## INSURANCE DEPARTMENT

### The Prudential Insurance Company of America; Rate Increase Filing for Group LTC Form 83500 BFW 5015 (PRUD-131789912)

The Prudential Insurance Company of America is requesting approval to increase the premium 19% on 2,533



policy holders of Prudential Group LTC form 83500 BFW 5015 (also called the GLTC3 Series).

Unless formal administrative action is taken prior to April 18, 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](http://www.insurance.pa.gov) (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 19-163. Filed for public inspection February 1, 2019, 9:00 a.m.]

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## INSURANCE DEPARTMENT

### **The Prudential Insurance Company of America; Rate Increase Filing for Group LTC Form 83500 COV 5027 (PRUD-131789913)**

The Prudential Insurance Company of America is requesting approval to increase the premium 10% on 2,548 policy holders of Prudential Group LTC form 83500 COV 5027 (also called the GLTC4 Series).

Unless formal administrative action is taken prior to April 18, 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](http://www.insurance.pa.gov) (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 19-164. Filed for public inspection February 1, 2019, 9:00 a.m.]

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## INSURANCE DEPARTMENT

### **Surplus Lines Agents and Interested Parties; Export List of Insurance Coverages**

In June 2018, the Insurance Commissioner (Commissioner) determined that certain insurance coverages were generally unavailable in the authorized market and de-

clared those coverages as exportable. A list of exportable coverages was published at 48 Pa.B. 3497 (June 9, 2018). Accordingly, for those insurance coverages that are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

The Commissioner declared that the export list would remain in effect until revised or superseded by a subsequent list.

At this time, the Commissioner is soliciting comments regarding the current export list. Any person may request in writing that a coverage be added or removed from the list.

Persons wishing to comment on the Commissioner's current export list are invited to submit a written statement within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, [cbybee@pa.gov](mailto:cbybee@pa.gov). After consideration of all comments received, the Commissioner will publish a notice in the *Pennsylvania Bulletin* providing a 15-day opportunity to comment on any proposed changes before formal publication of the revised list.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 19-165. Filed for public inspection February 1, 2019, 9:00 a.m.]

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## MILK MARKETING BOARD

### **Hearing and Presubmission Schedule; All Milk Marketing Areas; Minimum Retail Prices**

Under the provisions of the Milk Marketing Law (31 P.S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 on May 1, 2019, at 9 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning minimum retail prices.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 12 p.m. on March 28, 2019, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 12 p.m. on March 28, 2019, notification of their desire to be included as a party. Parties shall indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to [deberly@state.pa.us](mailto:deberly@state.pa.us).

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. Copies of the

filings will be available on the Board web site at <http://www.mmb.pa.gov/Public%20Hearings/>.

1. By 2 p.m. on April 4, 2019, the petitioner shall file with the Board, in person or by mail, one original and four copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the petitioner, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a written report or written testimony explaining the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on April 18, 2019, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 2 p.m. on April 25, 2019, parties shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, five copies shall be provided for Board use and one copy shall be provided to each interested party.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing directed to [tmoyer@pa.gov](mailto:tmoyer@pa.gov) and received in the Board office by 12 p.m. on April 19, 2019.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,  
*Secretary*

[Pa.B. Doc. No. 19-166. Filed for public inspection February 1, 2019, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing and Presubmission Schedule; Milk Marketing Area No. 6

Under the provisions of the Milk Marketing Law (31 P.S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 6 on March 11, 2019, at 10:30 a.m. in Room 309, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 6. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the first halves of calendar years 2017 and 2018; skim and

butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. Evidence and testimony will be considered regarding the heating fuel adjuster in Milk Marketing Area No. 6. Evidence and testimony will be considered regarding the diesel fuel cost adjuster in Milk Marketing Area No. 6. Evidence and testimony will be considered regarding the container efficiency adjustment.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 12 p.m. on February 5, 2019, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 12 p.m. on February 5, 2019, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to [deberly@pa.gov](mailto:deberly@pa.gov).

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 2 p.m. on February 11, 2019, Board staff shall file with the Board, in person or by mail, one original and four single-sided copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 2 p.m. on February 25, 2019, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 12 p.m. on March 5, 2019, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least twenty copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing directed to [tmoyer@pa.gov](mailto:tmoyer@pa.gov) and received in the Board office by 1 p.m. on February 28, 2019.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

TIM MOYER,  
Secretary

[Pa.B. Doc. No. 19-167. Filed for public inspection February 1, 2019, 9:00 a.m.]

**PENNSYLVANIA PUBLIC  
UTILITY COMMISSION**

**Electric Generation Supplier License Cancellations  
of Companies with an Expired Financial Security  
or Insufficient Financial Security Amount**

Public Meeting held  
January 17, 2019

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

*Electric Generation Supplier License Cancellations of  
Companies with an Expired Financial Security or  
Insufficient Financial Security Amount; M-2018-2640827*

**PENNSYLVANIA PUBLIC  
UTILITY COMMISSION**

**Act 13 of 2012; Producer Fees for Calendar Year  
2018**

Average Annual Price of Natural Gas for Calendar  
Year 2018:<sup>(1)</sup> \$3.086

Consumer Price Index (CPI), Urban Consumers,  
PA, NJ, DE and MD:<sup>(2)</sup> 1.0%

**Number of Spud Wells for  
Calendar Years 2017 and 2018**

	2017	2018
Number of wells spud	810	779

CPI adjustment to spud well fees is not applicable in 2018. See 58 Pa.C.S. § 2302(c) (relating to unconventional gas well fee).

**Unconventional Gas Well Fees for  
Calendar Year 2018**

Year of Well <sup>(3)</sup>	Horizontal	Vertical—Producing
Year 1	\$50,700	\$10,100
Year 2	\$40,500	\$8,100
Year 3	\$30,400	\$6,100
Year 4—10	\$20,300	\$4,100

<sup>(1)</sup> Source: [www.business.directenergy.com](http://www.business.directenergy.com)

<sup>(2)</sup> Source: [www.bls.gov](http://www.bls.gov)

<sup>(3)</sup> Horizontal unconventional gas wells pay the yearly fee upon spudding plus 2 subsequent years. Fees after the first 3 years are based on production levels as defined in 58 Pa.C.S. § 2302(b.1). Vertical wells producing gas levels above a 90,000 cubic feet average in any one given month during the current reporting year are subject to 20% of the applicable horizontal well fee rounded to the nearest \$100.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 19-168. Filed for public inspection February 1, 2019, 9:00 a.m.]

**Tentative Order**

*By the Commission:*

The Commission’s regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120 prior to the EGS’s current security expiration date. Each financial instrument must be an original document that displays a “wet” signature or digital signature, preferable in blue ink, and displays a “raised seal” or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS’s license issued by the Commission.

Failure to file before the financial security’s expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company’s electric supplier license, removal of each company’s information from the Commission’s website and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of January 8, 2019, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount directed by the Commission, to replace its expired bond.



*Supplier Table—List of Electric Generation Suppliers*

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount</i>
A-2016-2565716	AVIDXCHANGE, INC.	12/15/2018	Yes
A-2012-2331930	CHOOSE ENERGY, INC.	1/1/2019	Yes
A-2015-2501712*	GREENLIGHT ENERGY, INC.	1/7/2019	Yes
A-2015-2497850*	MPOWER ENERGY NJ, LLC	12/31/2018	Yes

\*Taking title to electricity

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 90-day Security Renewal Notice Letter to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security, must be filed within 30 days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for each EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

*It Is Ordered That:*

1. Cancellation of the Electric Generation Supplier Licenses of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, the Department of Revenue—Bureau of Corporation Taxes, all electric distribution companies, all of the Electric Generation Suppliers in the Supplier Table and publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment or the filing of an approved security within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary.

4. Upon entry of the Final Order described in Ordering Paragraph No. 3 above, each company listed in the Supplier Table will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

5. Upon entry of the Final Order described in Ordering Paragraph No. 3, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 19-169. Filed for public inspection February 1, 2019, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Eligible Telecommunications Carriers; Federal Communication Commission's Connect America Fund Phase II Auction

The Pennsylvania Public Utility Commission (Commission) invites comment on the following pending competitive access carrier and competitive local exchange carrier's petition for designation as an eligible telecommunications carrier (ETC) since it was awarded Federal high-cost support monies from the Federal Communication Commission's Connect America Fund Phase II Auction:

Velocity.Net Communications, Inc. Petition for Designation as an Eligible Telecommunications Carrier; Doc. No. P-2018-3006180.

The Commission, at its July 29, 2010, public meeting adopted a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers. This notice informs telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission.

Interested parties are invited to file comments at the relevant docket number within 10 days of publication of this notice. Reply comments of the carrier are due within 10 days thereafter. Interested parties may review the pending petition at the Commission's web site at <http://www.puc.pa.gov> or hard copies are available for a fee by written request to the Pennsylvania Public Utility Commission, Rosemary Chiavetta, Secretary, P.O. Box 3265, Harrisburg, PA 17105-3265.

The contact for questions regarding this notice is Tiffany L. Tran, Assistant Counsel, Law Bureau, (717) 787-5000.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 19-170. Filed for public inspection February 1, 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, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 18, 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-2018-3005760. Yes Limousine, LLC** (1 International Plaza Drive, Suite 550, Philadelphia, PA 19113) persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Bucks, Chester, Delaware and Montgomery to points in Pennsylvania, and return.

**A-2019-3006967. Hole in the Wall Transport, LLC** (251 Elmdale Road, Benton, Columbia County, PA 17814) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles from points in Columbia County to points in Pennsylvania, and return.

**Applications of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle as described under each application.***

**A-2019-3006932. East Hills Ambulance, Inc., t/a East Hills Transportation Service** (3111 Elton Road, Johnstown, PA 15904) for the discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, at A-00115029, persons in paratransit service, to and from doctor's offices, hospitals, nursing facilities and personal care facilities, limited to the use of wheel chair accessible vans, in the Boroughs of Geistown and Lorain, and the Townships of Stonycreek and Richland, Cambria County, and from points in the said boroughs and townships, to points in Pennsylvania, and return.

**A-2019-3006952. Ronald Heier** (65 Stuart Run Road, Quarryville, Lancaster County, PA 17566) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return, subject to the following condition: that service is limited to the transportation of persons whose personal beliefs preclude them from owning or operating motor vehicles.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 19-171. Filed for public inspection February 1, 2019, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due February 18, 2019, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

#### **Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. A Crystal Limousine Service, LLC; Docket No. C-2018-3006047** **COMPLAINT**

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to A Crystal Limousine Service, LLC, (respondent) is under suspension effective November 06, 2018 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 199 Rochester Road, Pittsburgh, PA 15229.

3. That respondent was issued a Certificate of Public Convenience by this Commission on September 29, 2014, at A-00119024.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00119024 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 11/27/2018

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions, you may call 717-783-3847.

### **Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. SVJ, Inc., t/a SVJ Moving & Storage Co.; Docket No. C-2018-3006300**

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to SVJ, Inc., t/a SVJ Moving & Storage Co., (respondent) is under suspension effective November 18, 2018 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at P.O. Box 24, Oreland, PA 19075.
3. That respondent was issued a Certificate of Public Convenience by this Commission on August 18, 2009, at A-899757.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The

Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-899757 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 12/4/2018

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

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ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 19-172. Filed for public inspection February 1, 2019, 9:00 a.m.]



## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Wastewater System Assets and Service

**A-2019-3007355. The York Water Company.** Application of The York Water Company for approval of the right to acquire the wastewater system assets of the Borough of Jacobus, York County and for The York Water Company to begin to furnish wastewater service to the public in the Borough of Jacobus, York County, as well as enter into a municipal contract between The York Water Company and the Borough of Jacobus.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before February 19, 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](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* The York Water Company

*Through and By Counsel:* Michael W. Hassell, Esquire, Devin T. Ryan, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 19-173. Filed for public inspection February 1, 2019, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Water Service

**A-2019-3007336. Pennsylvania American Water Company.** Application of Pennsylvania American Water Company for approval to begin to offer, render, furnish or supply water service to the public in an additional portion of Middle Smithfield Township, Monroe County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before February 19, 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](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* Pennsylvania American Water Company

*Through and By Counsel:* Elizabeth Rose Triscari, Esquire, Pennsylvania American Water Company, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 19-174. Filed for public inspection February 1, 2019, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Assessment Notice

Attention Phila-Austin Taxi, Inc., last known address of 2301 Church Street, Philadelphia, PA 19124, this notice advises that the following assessment notice is being issued to Phila-Austin Taxi, Inc. from the Philadelphia Parking Authority's (Authority) Taxicab and Limousine Division (TLD).

PHILA-AUSTIN TAXI, INC, CPC No. 1029058-01:

This taxicab assessment notice is being sent to you because you currently hold a taxicab certificate of public convenience to operate a corresponding medallion(s) within the City of Philadelphia (City) under the regulatory jurisdiction of the Philadelphia Parking Authority (Authority). On a quarterly basis, the owner of a taxicab authorized by the Authority is required to pay to the Authority an assessment amount equal to 1% of gross receipts from the fares charged to passengers for taxicab service within the City, excluding tips and tolls.

Upon review of the 2 medallion(s) that you own, it has been determined that \$172.24 is your assessment amount that is currently due for Quarter 1 of Fiscal Year 2019, which began on July 1, 2018 through September 30, 2018. Therefore, you are now required to remit payment of the aforementioned assessment amount to the Authority's Taxicab and Limousine Division (TLD) at 2415 S. Swanson Street, Philadelphia, PA 19148 no later than 30 days from the date of this notice. Payments shall be made payable by money order, cashier's check or credit card to the Philadelphia Parking Authority and remitted to the TLD with a completed assessment form, which may be obtained on the TLD's web site at <http://www.philapark.org/resources-and-forms/>. Credit card payments are only accepted in person.

You may contest the current assessment by filing a petition for a hearing within 15 days from the date of this notice. You are advised to read 52 Pa. Code § 1011.4(f) (relating to assessment hearings) concerning the requirements and procedures of an assessment contest and to seek legal counsel if you choose to make such a contest. The filing of a petition does not absolve you of the obligation to pay the full assessment amount on time. All petitions shall be filed with the TLD's Office of the Clerk and may be submitted in person or mailed to: Taxicab and Limousine Division, Attn: Office of the Clerk, 2415 S. Swanson Street, Philadelphia, PA 19148.

Thank you,

Administration Department  
Taxicab and Limousine Division

If you have any questions concerning this notice, you may contact the TLD's Administration Department at (215) 683-9895 or at [TLDAdmin@philapark.org](mailto:TLDAdmin@philapark.org).

SCOTT PETRI,  
*Executive Director*

[Pa.B. Doc. No. 19-175. Filed for public inspection February 1, 2019, 9:00 a.m.]



## PHILADELPHIA PARKING AUTHORITY

### Service of Default Order

**Philadelphia Parking Authority, Taxicab and  
Limousine Division v. RJZ Cab Co.;**  
**Doc. No. C-18-05-061**

Attention RJZ Cab Co., last known address of 2351 South Swanson Street, Philadelphia, PA 19148, this notice advises that a Default Order of Hearing Officer, Hon. Sheldon C. Jelin was issued and entered on December 27, 2018, with the Philadelphia Parking Authority's (Authority) Taxicab and Limousine Division's (TLD) Office of the Clerk.

On May 4, 2018, the Enforcement Department of the TLD of the Authority issued Citation T-24462 to RJZ Cab Co. (Respondent) for a violation of 52 Pa. Code § 1011.3, annual filing requirements not met.

The complaint was served on Respondent on May 4, 2018.

Respondent did not pay the penalty amount identified on the citation or file a request for a hearing with the TLD Clerk within 15 days after the date of service as provided in 52 Pa. Code § 1005.13(b).

On June 14, 2018, the TLD Clerk sent Respondent a reminder notice of the outstanding citation and to either pay the penalty, request a hearing, or suffer a default.

To date, more than 15 days have expired and Respondent has failed to pay the penalty or file a request for a hearing with the TLD Clerk. Therefore, pursuant to 52 Pa. Code § 1005.31(c), the complaint is sustained and a Default Order is entered against Respondent.

A penalty of \$100 is imposed along with an administration fee of \$75 for a total of \$175.

In addition, Respondent's CPC No. 1014788-01 is hereby CANCELLED with respect to medallions P-0239 and P-0656.

Respondent is ordered to pay \$175 by January 11, 2019. Payment shall be made to: The Philadelphia Parking Authority, Taxicab and Limousine Division, Attn: Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148.

Pursuant to 52 Pa. Code § 1001.13(b), this order will become effective on January 11, 2019, as an adjudication of the Authority if not selected for review by the Authority.

Respondent is hereby notified to cease and desist from further violations of the Taxicab and Limousine regulation, 52 Pa. Code §§ 1001.1 et seq.

Hon. Sheldon C. Jelin (Ret.)  
Hearing Officer

If you have any questions concerning this notice, you may contact the TLD's Office of the Clerk, Heidi Robb, (215) 683-9498, TLDClerk@philapark.org.

SCOTT PETRI,  
*Executive Director*

[Pa.B. Doc. No. 19-176. Filed for public inspection February 1, 2019, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as a common carrier in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than February 18, 2019. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. No. A-18-10-14. 7ers, LLC** (40 Erna Court, B, Upper Darby, PA 19082): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

**Doc. No. A-18-10-15. Alamin Tour Transportation, Inc.** (44 Hurley Court, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Doc. No. A-18-10-17. B & N Trans Co.** (281 Torrey Pine Court, West Chester, PA 19380): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Doc. No. A-18-10-18. Khatana Transportation, Inc.** (917 Anderson Avenue, Drexel Hill, PA 19026): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Doc. No. A-18-10-19. Rahat Cab, LLC** (51 Marian Court, Floor 2, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

**Doc. No. A-18-10-20. Lasker Cab, LLC** (1108 Brighton Street, Philadelphia, PA 19111): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

**Doc. No. A-18-10-21. John H. Khokhar, Inc.** (604 Addison Way, Warrington, PA 18976): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

**Doc. Nos. A-18-10-22 and A-18-10-23. Asif H. Khokhar, Inc.** (604 Addison Way, Warrington, PA 18976): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

**Doc. No. A-19-01-01. Omid Taxi, LLC** (5634 Arlington Street, Philadelphia, PA 19131): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

**Doc. No. A-19-01-04. Bility Brothers, LLC** (6538 Dicks Avenue, Philadelphia, PA 19142): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attor-*

*ney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

**Doc. No. A-19-01-05. Dream Freedom, Inc.** (1914 Chandler Street, Philadelphia, PA 19111): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

**Doc. No. A-19-01-06. Bismillah Trans, LLC** (2948 Longshore Avenue, Philadelphia, PA 19149): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

**Doc. No. A-19-01-07. TRT Taxi, LLC** (112 Aston Road, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

SCOTT PETRI,  
*Executive Director*

[Pa.B. Doc. No. 19-177. Filed for public inspection February 1, 2019, 9:00 a.m.]