

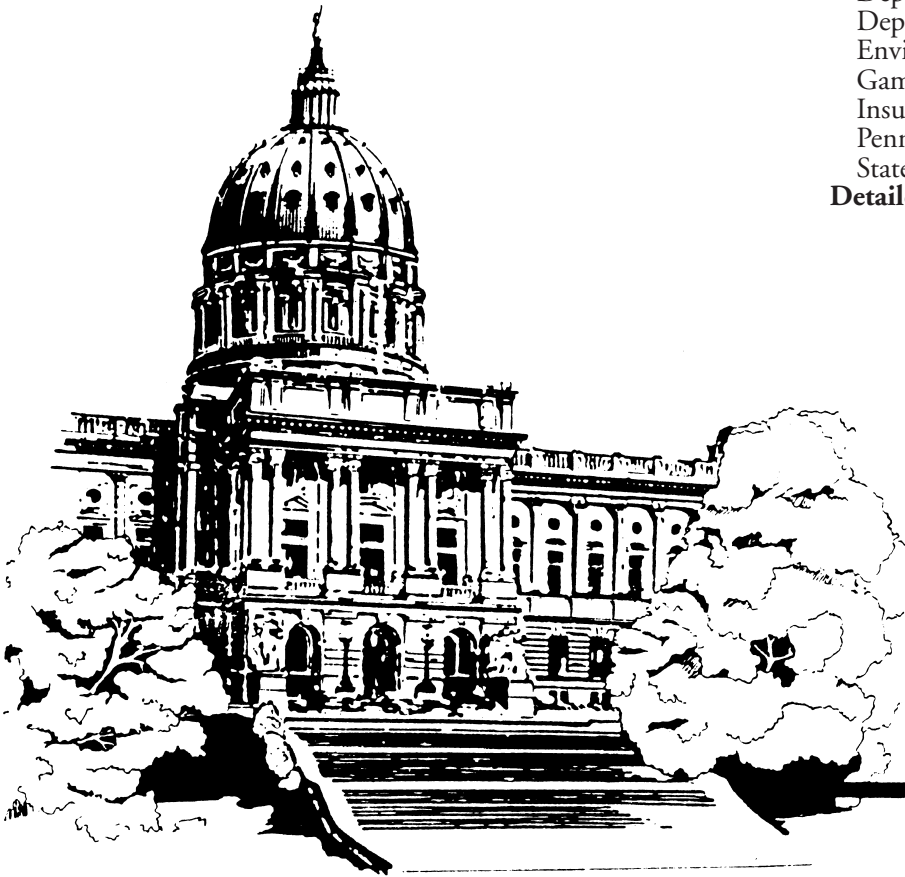
PENNSYLVANIA BULLETIN

Volume 49
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Pages 587—696

Agencies in this issue

The Governor
The General Assembly
The Courts
Department of Banking and Securities
Department of Environmental Protection
Department of Health
Department of Human Services
Department of State
Environmental Quality Board
Game Commission
Insurance Department
Pennsylvania Public Utility Commission
State Board of Pharmacy

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.

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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

4 Pa. Code (Administration)		225 Pa. Code (Rules of Evidence)	
Adopted Rules		Proposed Rules	
1	438	Article IX	165
5	438	231 Pa. Code (Rules of Civil Procedure)	
6	593	Adopted Rules	
Statements of Policy		200	169
9	381	1000	608
49 Pa. Code (Professional and Vocational Standards)		1910	170
Proposed Rules		2000	608
21	458	2250	608
52 Pa. Code (Public Utilities)		Proposed Rules	
Adopted Rules		5	444
29	455	200	274
Statements of Policy		234 Pa. Code (Rules of Criminal Procedure)	
69	466	Adopted Rules	
204 Pa. Code (Judicial System General Provisions)		4	190
Adopted Rules		Proposed Rules	
89	443	5	197
93	443	10	197
210 Pa. Code (Appellate Procedure)		237 Pa. Code (Juvenile Rules)	
Proposed Rules		Adopted Rules	
3	10	1	208, 610
35	602	5	208, 610
		11	208, 610
		255 Pa. Code (Local Court Rules)	
		Unclassified 12, 13, 14, 214, 215, 216, 274, 380, 445, 446,	
		453, 616, 619	

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 6]

[EXECUTIVE ORDER NO. 2018-07]

Pennsylvania Redistricting Reform Commission

November 29, 2018

Whereas, the success of our democracy demands fair, equitable elections; and

Whereas, our citizens are entitled to accuracy and transparency in the election process and government that works on behalf of all Pennsylvanians; and

Whereas, the redistricting process should be clear and reasonable, and should involve public input, evaluation, and feedback; and

Whereas, residents of the Commonwealth have overwhelmingly expressed their desire for an independent, non-partisan redistricting commission to oversee the legislative redistricting process; and

Whereas, the Commonwealth's past processes may have led to under-representation of minority groups and did not allow citizens an opportunity to provide input regarding the districts drawn by the Legislature; and

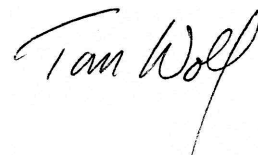
Whereas, election districts should be drawn making every effort to keep towns, communities, municipalities and counties intact to ensure our elected officials reflect and represent the community they serve; and

Whereas, in other parts of the country, independent commissions have been effective at reducing harmful partisan politics in redistricting; and

Whereas, independent commissions have also been successful in creating districts that are compact, contiguous, and keep communities together; and

Whereas, the creation of a Pennsylvania Redistricting Reform Commission would engage citizens, subject matter experts, and other interest groups in examining the Commonwealth's redistricting process and making recommendations on ways to drive positive change in our system.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by the virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth do hereby establish the Pennsylvania Redistricting Reform Commission and order and direct as follows:



Governor

Fiscal Note: GOV-2018-07. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 4. ADMINISTRATION
PART I. GOVERNOR'S OFFICE
CHAPTER 6. ADDITIONAL COUNCILS AND COMMITTEES
Subchapter III. PENNSYLVANIA REDISTRICTING
REFORM COMMISSION

Sec.	
6.731.	Purpose.
6.732.	Powers and duties.
6.733.	Composition.
6.734.	Procedures.
6.735.	Report.
6.736.	Compensation.
6.737.	Staff.
6.738.	Effective date.
6.739.	Termination date.

§ 6.731. Purpose.

The purpose of the Pennsylvania Redistricting Reform Commission is to study best practices related to nonpartisan redistricting process, engage the public in a dialogue around principles for a nonpartisan redistricting process, and make recommendations to the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives, Majority Leader of the Senate, Majority Leader of the House of Representatives, Minority Leader of the Senate, and Minority Leader of the House of Representatives to inform the redistricting process.

§ 6.732. Powers and duties.

The Pennsylvania Redistricting Reform Commission (Commission) shall:

(a) Evaluate and analyze recommendations to improve the integrity and fairness of the Commonwealth's congressional and legislative redistricting process.

(b) Review policies and practices implemented in other states that have reduced gerrymandering in the redistricting process.

(c) Create opportunities for citizens to engage in the Commission's work through public meetings and an online web submission form.

(d) Develop recommendations and criteria to minimize the partisan political influence on congressional and legislative redistricting processes.

(e) Provide nonpartisan redistricting recommendations and best practices for the Governor to utilize during the redistricting process.

(f) Provide nonpartisan redistricting recommendations and best practices for the Legislature to utilize during the redistricting process.

(g) Undertake any additional work related to redistricting as requested by the Governor.

§ 6.733. Composition.

(a) The Pennsylvania Redistricting Reform Commission (Commission) consists of the following voting members:

(1) Two members of the Pennsylvania Senate, one appointed by the Majority Leader of the Senate and one appointed by the Minority Leader of the Senate;

(2) Two members of the Pennsylvania House of Representatives, one appointed by the Majority Leader of the House of Representatives and one appointed by the Minority Leader of the House of Representatives;

(3) The Secretary of the Commonwealth or a designee;

(4) Two individuals from institutions of higher education;

(5) One individual from a nonpartisan voter advocacy organization;

(6) One individual from a nonpartisan government reform organization;

(7) One former elected official who does not currently hold elected office; and

(8) Up to five citizen appointees.

(b) The voting members identified in paragraph (a)(3)—(8) shall be appointed by the Governor and shall serve at the pleasure of the Governor. Should a vacancy occur among the Governor's appointees on the Commission, the Governor will appoint a successor.

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

(d) The Commission's membership shall reflect the diversity of the Commonwealth.

§ 6.734. Procedures.

(a) The Pennsylvania Redistricting Reform Commission (Commission) may establish committees, rules, and procedures needed to effectively implement its powers and duties included in this subchapter. Subcommittees may include advisory nonmembers, if approved by the Commission's chairperson. All committees shall be chaired by a member of the Commission.

(b) A majority of members of the Commission shall constitute a quorum.

(c) The Commission shall hold at least six publicly announced meetings throughout the Commonwealth before its report is due.

§ 6.735. Report.

The Pennsylvania Redistricting Reform Commission shall provide a written report to the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives, Majority Leader of the Senate, Majority Leader of the House of Representatives, Minority Leader of the Senate, and Minority Leader of the House of Representatives, that includes its findings from the activities undertaken in § 6.732 (relating to powers and duties) within 9 months of the effective date of this subchapter.

§ 6.736. Compensation.

Members of the Pennsylvania Redistricting Reform Commission (Commission) shall not receive compensation for their service on the Commission, except that members shall receive reimbursement for reasonable travel costs and expenditures incurred while performing Commission business in accordance with the Commonwealth's travel and subsistence policies. See Chapter 40 (relating to travel and subsistence).

§ 6.737. Staff.

(a) The Department of State shall provide staffing to assist the Pennsylvania Redistricting Reform Commission (Commission) in carrying out the Commission's responsibilities and duties.

(b) All Commonwealth agencies under the Governor's jurisdiction shall provide assistance and support as needed by the Commission to effectively carry out its purpose, powers, and duties set forth in this subchapter, so far as is compatible with the authority and ability of each Commonwealth agency.

§ 6.738. Effective date.

This subchapter shall be effective immediately.

§ 6.739. Termination date.

This subchapter shall remain in effect unless amended or rescinded by the Governor.

THE GENERAL ASSEMBLY

HOUSE OF REPRESENTATIVES

Committee Designation under the Regulatory Review Act

Pursuant to the provisions of Act No. 181 of 1982, as amended, the Regulatory Review Act, the Speaker of the House is required to prescribe the jurisdiction of each standing committee of the House over the various State agencies for the purpose of reviewing proposed regulations.

I have, therefore, submitted the designated House committee to which you should submit any regulations which you may propose during the 2019-2020 Legislative Sessions.

*Any department, departmental administrative board or commission, independent board, commission, or authority not contained in this list is assigned to the same designated standing committee as is their parent agency.

MIKE TURZAI,
The Speaker

(Editor's Note: The effective date of the standing committees designation list is January 28, 2019, the date it was read into the record.)

Committee Referrals

Aging and Older Adult Services Committee

Department of Aging (Except Office of Long Term Living)

Agriculture and Rural Affairs Committee

Department of Agriculture
Milk Marketing Board
Bureau of Farm Show
Agriculture Land Preservation Board
State Conservation Commission
State Horse Racing Commission
Commission of Agricultural Education Excellence

Appropriations Committee

Budget
Auditor General
State Treasurer
Pennsylvania Infrastructure Investment Authority

Children and Youth Committee

Department of Human Services—(Only those regulations promulgated by the Office of Children, Youth and Families and the Office of Child Development and Learning, and any other regulations issued by the Department of Human Services relating to child care.)

Commerce Committee

Department of Community and Economic Development—(Except for regulations promulgated by the Office of Open Records, as well as the Tourism Promotion Fund under Act 109 of 2018.)

Pennsylvania Housing Financing Agency
Pennsylvania Industrial Development Authority
Department of Banking and Securities

Consumer Affairs Committee

Public Utility Commission

Education Committee

Department of Education
Public School Employees' Retirement System
Higher Education Facilities Authority
PHEAA
State Board of Education
State Board of Private Academic Schools
State Board of Private Licensed Schools
Professional Standards and Practices Commission
State Public School Building Authority
Board of Governors of State System of Higher Education

Environmental Resources and Energy Committee

Department of Environmental Protection
Department of Conservation and Natural Resources
Environmental Quality Board
State Board for Certification of Water and Wastewater Systems Operators
Environmental Hearing Board
Board of Coal Mine Safety
Board of Coal and Clay Mine Subsidence Insurance

Finance Committee

Department of Revenue—(Except for regulations pertaining to small games of chance.)
Board of Claims
State Tax Equalization Board
Board of Finance and Revenue
Commonwealth Financing Authority

Gaming Oversight Committee

Gaming Control Board—(Except for regulations promulgated by the Board relating to the sale and service of liquor and malt or brewed beverages by slot machine licensees.)
Department of Revenue—(Only those regulations pertaining to small games of chance.)

Health Committee

Department of Health—(Only those regulations promulgated by the Office of Health Planning and Assessment and the Office of Quality Assurance with the exception of community programs.)
Department of Human Services—(Only those regulations promulgated by the Office of Income Maintenance and the Office of Medical Assistance.)

Human Services Committee

Department of Drug and Alcohol Programs
Department of Health—(Only those regulations promulgated by the Office of Health Promotion and Disease Prevention and the Bureau of Community Program Licensure and Certification.)
Department of Human Services—(Only those regulations promulgated by the Office of Mental Health and Substance Abuse Services, Office of Developmental Programs, and the Office of Long Term Living.)

Insurance Committee

Department of Insurance
State Workmen's Insurance Board
Underground Storage Tank Indemnification Fund

Judiciary Committee

State Police
 Pennsylvania Commission on Crime and Delinquency
 Department of Corrections
 Office of General Counsel
 Attorney General
 Board of Pardons
 Board of Probation and Parole
 State Ethics Commission
 Pennsylvania Commission on Sentencing
 Municipal Police Officers Education and Training Commission

Labor and Industry Committee

Civil Service Commission
 Department of Labor and Industry
 Unemployment Compensation Appeals Board of Review
 Labor Relations Board
 Workmen's Compensation Appeal Board
 Office for the Deaf and Hearing Impaired
 Industrial Board

Liquor Control Committee

Liquor Control Board
 Gaming Control Board—(Only those regulations relating to the sale and service of liquor and malt or brewed beverages by slot machine licensees.)

Local Government Committee

Pennsylvania Municipal Retirement System

Professional Licensure Committee

State Board of Accountancy
 State Architects Licensure Board
 State Board of Auctioneer Examiners
 State Board of Barber Examiners
 State Board of Certified Real Estate Appraisers
 State Board of Cosmetology
 State Board of Crane Operators
 State Registration Board for Professional Engineers, Land Surveyors and Geologists
 State Board of Funeral Directors
 State Board of Landscape Architects
 State Real Estate Commission
 State Board of Vehicle Manufacturers, Dealers and Salespersons Board
 State Commission for the Delaware River & its Navigable Tributaries
 State Board of Chiropractic
 State Board of Dentistry
 State Board of Massage Therapy
 State Board of Medicine
 State Board of Nursing

State Board of Examiners of Nursing Home Administrators
 State Board of Occupational Therapy
 State Board of Optometry
 State Board of Osteopathic Medicine
 State Board of Pharmacy
 State Board of Physical Therapy
 State Board of Podiatry
 State Board of Psychology
 State Board of Speech-Language Pathology and Audiology
 State Board of Social Workers, Marriage & Family Therapists & Professional Counselors
 State Board of Veterinary Medicine
 Bureau of Professional and Occupational Affairs

State Government Committee

Department of General Services
 Department of State
 Human Relations Commission
 State Employees' Retirement System
 Governor's Office
 Independent Fiscal Office
 State Athletic Commission
 Independent Regulatory Review Commission
 Joint Committee on Documents
 Department of Community and Economic Development—(Only those regulations promulgated by the Office of Open Records.)

Tourism and Recreational Development Committee

Historical and Museum Commission
 Department of Community and Economic Development—(Only those regulations promulgated by the Tourism Promotion Fund under Act 109 of 2018.)

Transportation Committee

Department of Transportation
 Turnpike Commission
 State Transportation Commission

Urban Affairs

Philadelphia Parking Authority

Veterans Affairs and Emergency Preparedness Committee

Department of Military and Veterans Affairs
 Pennsylvania Emergency Management Agency
 Department of Health—(Only those regulations promulgated by the Bureau of Emergency Medical Services.)

[Pa.B. Doc. No. 19-179. Filed for public inspection February 8, 2019, 9:00 a.m.]

SENATE OF PENNSYLVANIA

Committee Designation under the Regulatory Review Act

Under the provisions of Act 181 of 1982, as amended and reenacted, known as the Regulatory Review Act, as President Pro Tempore of the Senate, I hereby designate the following standing committees for the purpose of regulatory review as authorized in the Act.

The designated standing committee for any departmental board, commission, committee, and other agency not listed herein shall be the standing committee listed for that department. The Committee on Rules and Executive Nominations shall be the designated standing committee for the purpose of regulatory review for any other agency not specifically listed.

JOSEPH B. SCARNATI, III,
President Pro Tempore

(*Editor's Note:* The effective date of the standing committees designation list is February 4, 2019, the date it was read across the desk.)

<i>Agency</i>	<i>Committee</i>
Governor and Office of the Governor	State Government
Attorney General and Office of the Attorney General	Judiciary
Auditor General and Office of Auditor General	Finance
State Treasurer and Treasury Department	Finance
Adjutant General and Department of Military and Veterans' Affairs	Veterans' Affairs and Emergency Preparedness
Secretary and Department of Aging	Aging and Youth
Secretary and Department of Agriculture	Agriculture and Rural Affairs
Secretary and Department of Banking and Securities	Banking and Insurance
Secretary and Department of Community and Economic Development	Community, Economic and Recreational Development
Secretary of the Commonwealth and Department of State	State Government
Secretary and Department of Conservation and Natural Resources	Environmental Resources and Energy
Secretary and Department of Corrections	Judiciary
Secretary and Department of Drug and Alcohol Programs	Health and Human Services
Secretary and Department of Education	Education
Secretary and Department of Environmental Protection	Environmental Resources and Energy
Secretary and Department of General Services	State Government
Secretary and Department of Health	Health and Human Services
Commissioner and Department of Insurance	Banking and Insurance
Secretary and Department of Labor and Industry	Labor and Industry
Secretary and Department of Human Services	Health and Human Services
Secretary and Department of Revenue	Finance
Commissioner and Pennsylvania State Police	Law and Justice
Secretary and Department of Transportation	Transportation
Secretary and Office of Administration	State Government
General Counsel and Office of General Counsel	State Government
Secretary and Office of Budget	Appropriations
Commissioner and Bureau of Professional and Occupational Affairs	Consumer Protection and Professional Licensure
Executive Board	State Government
Armory Board	Veterans' Affairs and Emergency Preparedness
Ben Franklin Technology Development Authority	Community, Economic and Recreational Development
Board of Claims	State Government
Board of Coal Mine Safety	Environmental Resources and Energy
Board of Finance and Revenue	Finance
Board of Governors of State System of Higher Education	Education
Board of Pardons	Judiciary
Board of Probation and Parole	Judiciary
Civil Service Commission	State Government
Commonwealth Financing Authority	Community, Economic and Recreational Development
Constables' Education and Training Board	Judiciary
Pennsylvania Commission on Sentencing	Judiciary
State Coroners' Education Board	Judiciary
Council on the Arts	State Government
PA Sheriff and Deputy Sheriffs' Education and Training Board	Local Government
Environmental Hearing Board	Environmental Resources and Energy
Environmental Quality Board	Environmental Resources and Energy

<i>Agency</i>	<i>Committee</i>
Higher Educational Assistance Agency	Education
Higher Education Facilities Authority	Education
Historical and Museum Commission	State Government
State Horse Racing Commission	Agriculture and Rural Affairs
Human Relations Commission	Labor and Industry
Independent Regulatory Review Commission	Intergovernmental Operations
Industrial Board	Labor and Industry
Joint Committee on Documents	Rules and Executive Nominations
Labor Relations Board	Labor and Industry
Liquor Control Board	Law and Justice
Lobbying Disclosure Law Regulation Promulgation Committee	State Government
Milk Marketing Board	Agriculture and Rural Affairs
Pennsylvania Municipal Retirement System	Local Government
Municipal Police Officers Education and Training Commission	Law and Justice
Office of Open Records	State Government
Pennsylvania Commission on Crime and Delinquency	Judiciary
Pennsylvania Economic Development Financing Authority	Community, Economic and Recreational Development
Pennsylvania Emergency Management Council	Veterans' Affairs and Emergency Preparedness
Pennsylvania Emergency Management Agency	Veterans' Affairs and Emergency Preparedness
Pennsylvania Energy Development Authority	Environmental Resources and Energy
Pennsylvania Gaming Control Board	Community, Economic and Recreational Development
Pennsylvania Health Care Cost Containment Council	Health and Human Services
Pennsylvania Housing Finance Agency	Urban Affairs and Housing
Pennsylvania Industrial Development Authority	Community, Economic and Recreational Development
Pennsylvania Infrastructure Investment Authority	Environmental Resources and Energy
Pennsylvania Minority Business Development Authority	Community, Economic and Recreational Development
Philadelphia Parking Authority	Consumer Protection and Professional Licensure
Public Employee Retirement Commission	Finance
Public School Employees' Retirement Board	Finance
Professional Standards and Practices Commission	Education
Public Utility Commission	Consumer Protection and Professional Licensure
State Agricultural Land Preservation Board	Agriculture and Rural Affairs
State Athletic Commission	State Government
State Board of Education	Education
State Employees' Retirement Board	Finance
State Board for Certification of Sewage Enforcement Officers	Environmental Resources and Energy
State Board for Certification of Water and Wastewater Systems Operators	Environmental Resources and Energy
State Board of Private Academic Schools	Education
State Board of Private Licensed Schools	Education
State Conservation Commission	Agriculture and Rural Affairs
State Ethics Commission	State Government
State Health Care Policy Board	Health and Human Services
State Public School Building Authority	Education

<i>Agency</i>	<i>Committee</i>
State Tax Equalization Board	Finance
State Transportation Commission	Transportation
Turnpike Commission	Transportation
Underground Storage Tank Indemnification Board	Banking and Insurance
Unemployment Compensation Board of Review	Labor and Industry
State Veterans' Commission	Veterans' Affairs and Emergency Preparedness
Workers' Compensation Appeal Board	Labor and Industry
State Workers' Insurance Board	Labor and Industry
State Board of Accountancy	Consumer Protection and Professional Licensure
State Architects Licensure Board	Consumer Protection and Professional Licensure
State Board of Auctioneer Examiners	Consumer Protection and Professional Licensure
State Board of Barber Examiners	Consumer Protection and Professional Licensure
State Board of Chiropractic	Consumer Protection and Professional Licensure
State Board of Cosmetology	Consumer Protection and Professional Licensure
State Board of Crane Operators	Consumer Protection and Professional Licensure
State Board of Dentistry	Consumer Protection and Professional Licensure
State Board of Funeral Directors	Consumer Protection and Professional Licensure
State Board of Landscape Architects	Consumer Protection and Professional Licensure
State Board of Massage Therapy	Consumer Protection and Professional Licensure
State Board of Medicine	Consumer Protection and Professional Licensure
State Board of Certified Real Estate Appraisers	Consumer Protection and Professional Licensure
State Board of Vehicle Manufacturers, Dealers and Salespersons	Consumer Protection and Professional Licensure
Navigation Commission for the Delaware River and its Navigable Tributaries	Consumer Protection and Professional Licensure
State Board of Nursing	Consumer Protection and Professional Licensure
State Board of Examiners of Nursing Home Administrators	Consumer Protection and Professional Licensure
State Board of Occupational Therapy Education and Licensure	Consumer Protection and Professional Licensure
State Board of Optometry	Consumer Protection and Professional Licensure
State Board of Osteopathic Medicine	Consumer Protection and Professional Licensure
State Board of Pharmacy	Consumer Protection and Professional Licensure
State Board of Physical Therapy	Consumer Protection and Professional Licensure
State Board of Podiatry	Consumer Protection and Professional Licensure

<i>Agency</i>	<i>Committee</i>
State Board of Psychology	Consumer Protection and Professional Licensure
State Registration Board for Professional Engineers, Land Surveyors and Geologists	Consumer Protection and Professional Licensure
State Real Estate Commission	Consumer Protection and Professional Licensure
State Board of Examiners in Speech-Language and Hearing	Consumer Protection and Professional Licensure
State Board of Veterinary Medicine	Consumer Protection and Professional Licensure
State Board of Social Workers, Marriage and Family Therapists and Professional Counselors	Consumer Protection and Professional Licensure

[Pa.B. Doc. No. 19-180. Filed for public inspection February 8, 2019, 9:00 a.m.]

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CH. 35]

Proposed Adoption of Pa.R.A.P. 3531—3561

The Superior Court of Pennsylvania plans to adopt as Rules of Appellate Procedure, §§ 3531—3561, concerning issuance and processing of wiretaps pursuant to the Wiretapping and Electronic Surveillance Control Act, 18 Pa.C.S. §§ 5701 *et seq.* Currently, these provisions are substantially incorporated in the Superior Court's Operating Procedures, §§ 65.51—65.77.

Pursuant to Pa.R.J.A. No. 103(a)(1), this proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to final adoption by the Superior Court.

Every provision will become a binding Rule of Appellate Procedure upon final adoption by the Court unless changed in response to comments, suggestions, or objections submitted in response to this publication. The Court may also amend these proposed Rules *sua sponte* prior to final adoption.

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

JOSEPH D. SELETYN, ESQ.
Prothonotary, Superior Court of Pennsylvania
310 Grant Street, Suite 600
Pittsburgh, PA 15219
Joseph.Seletyn@pacourts.us

All communications in reference to this proposal should be received within 90 days of the date of this publication. 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 Prothonotary will acknowledge receipt of all submissions.

On Behalf of the Superior Court

JOSEPH D. SELETYN,
Prothonotary

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE III. MISCELLANEOUS PROVISIONS

CHAPTER 35. BUSINESS OF THE SUPERIOR COURT

WIRETAPS

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

Rule 3531. Definitions.

For purposes of Rules 3532—3561, the following words and phrases shall have the meanings set forth below:

Applicant—The Attorney General of Pennsylvania (or a deputy attorney general designated in writing) or a District Attorney (or an assistant district attorney designated in writing) of the county wherein the interception is to be made, who files an application pursuant to the Wiretap Act.

Assigned Judge—A judge of the Superior Court to whom the Supervising Judge assigns to consider an application filed under the Wiretap Act.

Issuing Judge—The judge of the Superior Court who signs a wiretap order.

Supervising Judge—A judge of the Superior Court, designated by the President Judge of the Superior Court, who administers wiretap applications.

Wiretap Act—The Wiretapping and Electronic Surveillance Control Act, 18 Pa.C.S. §§ 5701 *et seq.*

Rule 3532. Preemption.

Government officials are advised to consult the Wiretap Act. Any Rule of Appellate Procedure inconsistent with the Wiretap Act is preempted by the Wiretap Act.

Rule 3533. Confidential Docket Number.

The Applicant, not a law enforcement officer, shall call the Prothonotary or Deputy Prothonotary for a confidential docket number. All applications, affidavits, progress reports, and orders shall utilize the confidential docket number assigned to the matter.

Rule 3534. Assignment to a Particular Judge.

A. After receiving an assigned docket number from the Prothonotary or Deputy Prothonotary, the Applicant, not a law enforcement officer, shall call the Supervising Judge, inform him or her of the locale of the interception, and request assignment of a judge to consider the application. The Supervising Judge then shall assign a judge of the Superior Court via written order and inform the Applicant of the Assigned Judge.

B. All matters related to a docket number shall be presented to the Assigned/Issuing Judge. In extraordinary circumstances, where the Assigned/Issuing Judge is unavailable or is no longer a judge of the Superior Court, the Applicant or movant shall contact the Supervising Judge for assignment of a substitute judge. In true emergencies, where delay risks death or serious bodily injury, any judge of the Superior Court may issue any order permitted by law.

Rule 3535. Submission of Application to Assigned Judge.

The Applicant shall submit the application, affidavit, and proposed order to the Assigned Judge. If such documentation is to be presented in advance to the Assigned Judge electronically, the documentation shall be encrypted utilizing a security certificate supplied by the Assigned Judge. This *ex parte* proceeding need not be on the record if all the necessary information required by the Assigned Judge is contained in the application. However, any additional testimony or explanation, if supplied orally, must be made of record. A recording device utilizing a removable storage medium or court reporter may be used and must be provided by the Applicant. If a court reporter is used, the Assigned Judge shall direct the court reporter to transcribe the proceedings as expeditiously as possible and to submit the stenographic notes and original transcript to the Assigned Judge for sealing at the earliest possible moment. If a recording device is used, the storage medium shall immediately be turned over to the Assigned Judge and sealed. The Assigned Judge should instruct all present concerning the need for confidentiality.

Rule 3536. Content of Application—General.

An application under 18 Pa.C.S. § 5709 must be made upon the personal oath or affirmation of the Applicant and must contain the following:

A. A statement of the Applicant's authority to make the application.

B. A statement of the identity, State Police certification number, and qualifications of the investigative or law enforcement officer who will supervise the conduct of the interception and the identity of the agency which will conduct the interception.

C. An affidavit by the investigative or law enforcement officer who has knowledge of relevant information justifying the application, including a statement that the Applicant seeks authorization to intercept wire, oral, or electronic communications of the subject(s) of the investigation concerning one or more of the offenses listed in 18 Pa.C.S. § 5708.

D. A statement that the Applicant has discussed the above circumstances of the offenses with the officer who has conducted the investigation to date and has examined the officer's affidavit (which is attached and incorporated by reference).

E. A complete statement of the facts concerning all previous applications known to the Applicant made to any court for authorization to intercept a wire, electronic, or oral communication involving any of the same facilities or places specified in the application, or involving any person whose communication is to be intercepted, and the action taken by the court on each such application.

F. Where the application is for the renewal or extension of an order, a particular statement of facts showing the results thus far obtained from the interception, or a reasonable explanation of the failure to obtain such results.

G. A request that, based on the facts and circumstances set forth in the application and the attached affidavit, the Assigned Judge issue an order pursuant to 18 Pa.C.S. § 5710 authorizing the designated officers to intercept wire, electronic, or oral communications to and from, or on, the described devices or at the described premises until the earlier of:

1. communications are intercepted which reveal:
 - i. the manner in which the subject(s) and others unknown have participated, are participating, or will participate in the commission of the enumerated offenses,
 - ii. the identities of their confederates, and
 - iii. the nature of their operation or criminal enterprise; or
2. a period of 30 days or less.

H. The application shall request that, pursuant to 18 Pa.C.S. § 5712(f), the order direct the communication service provider to furnish the Applicant forthwith with all information, facilities, and technical assistance (including in-progress traces) to accomplish the interception unobtrusively and with a minimum of interference with the services being afforded by the company to the subject(s) and that the company be compensated by the Applicant's office at the prevailing rates.

I. If it is reasonably necessary that law enforcement officers enter the described premises for the purpose of installing, maintaining, or removing intercepting devices, the Applicant shall request that, pursuant to 18 Pa.C.S. § 5712(g), the Assigned Judge authorize the entry of the

described premises or facilities by the designated officers as often as necessary solely for the purpose of installing, maintaining, or removing intercepting devices. Prior to such entry, the Issuing Judge must, if practical, be notified in writing of the time and method of each such entry. If prior notice is impractical, the Issuing Judge must be notified within 48 hours of entry.

J. In the event a pen register, mobile communications tracking information, trap and trace device, or telecommunication identification interception device has been or is being utilized to support the affidavit under this Rule, the Applicant shall, as part of the application, certify that the authority for the use of the pen register, mobile communications tracking information, trap and trace device, or telecommunication identification interception device which was or is being utilized was obtained pursuant to probable cause. A copy of the affidavit of probable cause submitted in support of the application for the pen register, mobile communications tracking information, trap and trace device, or telecommunication identification interception must accompany the application for the wiretap.

K. Any applications and all subsequent motions or petitions relating to an application must be presented to the Assigned/Issuing Judge by an attorney-at-law.

L. Form applications are available to assist the Applicant and may be obtained from the Supervising Judge.

Rule 3537. Content of Application—Target Specific Wiretaps.

An application for a target specific wiretap pursuant to 18 Pa.C.S. § 5712.1 that does not comply with 18 Pa.C.S. § 5712(a)(3) and/or 18 Pa.C.S. § 5709(3)(iv) and (v), shall set forth:

A. In the case of oral communications:

1. a full and complete statement as to why specification is not practical and identifies the person committing the offense and whose communications are to be intercepted; and
2. a request that the Assigned Judge find that specification is not practical.

B. In the case of wire or electronic communications:

1. the identity of the person believed to be committing the offense and whose communications are to be intercepted, and the facts showing there is probable cause to believe that the person's actions could have the effect of thwarting interception by changing facilities or devices.
2. a request that the Assigned Judge find that the purpose for the target specific order has been adequately shown.

C. In the event the affiant seeks a supplementary order for a target specific wiretap, such application shall contain:

1. The identity of the investigative or law enforcement officers or agency to whom the authority to intercept wire, electronic, or oral communication is given, and the name and official identity of the Applicant.
2. The identity of or a particular description of the person, if known, whose communications are to be intercepted.
3. The period of time during which the interception is authorized, including a statement as to whether or not the interception shall automatically terminate when the described communication has been first obtained.

4. The facts supporting a showing of reasonable suspicion that the target of the original order has in fact changed communications devices or facilities.

5. The facts supporting a showing of reasonable suspicion that the target of the original order is likely to use the additional facility or device or place for criminal purposes similar to or related to those specified in the original order.

Rule 3538. Content of Application—Mobile Communication Tracking, Pen Registers, Trap and Trace Devices, and Telecommunication Identification Interception Devices.

An application for an order authorizing the installation and usage of pen registers, trap and trace devices, telecommunication identification interception devices and the disclosure or production of mobile communication tracking information shall contain:

A. The Applicant's identity and the identity of the investigative or law enforcement agency conducting the investigation.

B. A certification by the Applicant that the information likely to be obtained is relevant to an ongoing criminal investigation being conducted by that agency.

C. An affidavit by an investigative or law enforcement officer which establishes probable cause for the issuance of an order or extension of an order under 18 Pa.C.S. § 5773.

Rule 3539. Content of Affidavit.

The investigative or law enforcement officer's affidavit shall contain the following:

A. The affiant's title, pertinent employment history, authority to conduct investigations, and experience in conducting investigations of similar offenses.

B. The name, qualifications, and State Police certification number of the officers who will supervise and conduct the interception of the communications as well as the agency which will conduct the interception.

C. The facts which, when viewed in light of the totality of the underlying circumstances, establish their intrinsic reliability.

D. The identity of the person or persons, if known, who are believed to be committing one or more of the crimes in 18 Pa.C.S. § 5708, and whose communications will be intercepted.

E. The particular type of communication to be intercepted; *e.g.*, in a gambling case, transmittal and acceptance of wagers placed on the outcome of sporting events and horse race results, line information, etc.

F. Except where an application is filed pursuant to Rule 3537

1. The character and location of the particular communication facilities involved or the particular place where the oral communications will be intercepted;

2. The facts and circumstances establishing probable cause to believe that the subject(s) has committed, is committing or will commit one of the crimes enumerated in 18 Pa.C.S. § 5708;

3. The facts and circumstances establishing probable cause to believe that the particular wire, electronic, or oral communications of the subject(s) concerning those offenses may be obtained through the proposed interception;

4. The facts and circumstances establishing probable cause to believe that the facilities from which, or the place where, the wire, electronic, or oral communications are to be intercepted, are, have been, or are about to be used, in connection with the commission of such offense, or are leased to, listed in the name(s) of, or commonly used by such subject(s).

G. The period of time (not to exceed 30 days) for which the interception will be needed, and if the character of the investigation is such that the authorization for interception should not automatically terminate when the described type of communication has been first obtained, a particular statement of facts establishing probable cause to believe that additional communications of the same type will occur and should be intercepted thereafter.

H. A particular statement of facts showing that other normal investigative procedures with respect to the offense have been tried and failed or reasonably appear unlikely to succeed if tried or are too dangerous to employ, *e.g.*, standard visual or aural surveillance techniques, questioning of subject under an immunity grant, and/or use of search warrants.

I. The facts supporting these findings of probable cause should, whenever practical, be no more than 21 days old.

Rule 3540. Additional Testimony or Documentary Evidence.

The Assigned Judge may require the Applicant to provide additional testimony or documentary evidence during the *in camera* proceeding.

Rule 3541. Request for Identity of Informant.

Where, pursuant to 18 Pa.C.S. § 5710(b), the Assigned Judge requests the identity of an informant, such proceedings must be on the record save for any information that could lead to the identification of the informant.

Rule 3542. Orders—Notice of Confidentiality.

Upon consideration of the application, the Assigned Judge may enter an *ex parte* order authorizing the interception of wire, electronic, or oral communications that are being intercepted anywhere in the Commonwealth. All proposed orders shall include, on the first page, the following notice of confidentiality to third parties:

WIRETAP CONFIDENTIALITY
NOTICE

You have been served with an intercept order pursuant to Pennsylvania's Wiretapping and Electronic Surveillance Control Act, 18 Pa.C.S. §§ 5701—5781 (the "Wiretap Act").

In order to implement wiretaps and electronic surveillance authorized by intercept orders, the assistance of third parties, those outside of law enforcement, is required. You have been made aware of an intercept order because your assistance is required to facilitate wiretapping or other surveillance in an on-going criminal investigation.

This is a very serious and highly confidential matter and must be treated with the utmost care and discretion. Except as specifically authorized under the Wiretap Act, IT IS A CRIME TO WILLFULLY USE OR DISCLOSE THE EXISTENCE OF AN INTERCEPT ORDER. SUCH USE OR DISCLOSURE IS PUNISHABLE BY IMPRISONMENT OF UP TO 2 YEARS, AND A FINE OF UP TO \$5,000.

The Wiretap Act provides as follows:

§ 5719. Unlawful use or disclosure of existence of order concerning intercepted communication

Except as specifically authorized pursuant to this subchapter any person who willfully uses or discloses the existence of an order authorizing interception of a wire, electronic or oral communication is guilty of a misdemeanor of the second degree.

(A misdemeanor of the second degree is punishable by imprisonment of up to two years, 18 Pa.C.S. § 1104, and a fine of up to \$5,000, *id.* § 1101.)

See also 18 Pa.C.S. §§ 5725, 5726 and 5717.

Rule 3543. Orders—Probable Cause Statement.

A proposed order, except those pertaining to supplementary target specific orders or orders under 18 Pa.C.S. §§ 5771—5773, shall be submitted by the Applicant to the Assigned Judge, and it shall state that based on the application, the Assigned Judge finds probable cause to believe the following:

A. The person(s) whose communication is to be intercepted is committing, has committed, or is about to commit the offense(s) set forth in the application.

B. Particular communications concerning such offense(s) may be obtained through such interception.

C. Normal investigative procedures with respect to such offense(s) have been tried and have failed or reasonably appear to be unlikely to succeed if tried or to be too dangerous to employ.

D. The facilities from which (or the place where) the wire, electronic or oral communications are to be intercepted, are, have been, or are about to be used, in connection with the commission of such offense, or are leased to, listed in the name of, or commonly used by, the subject(s).

E. The investigative or law enforcement officers or agency to be authorized to do the interception are qualified by training and experience to execute the interception sought and are certified under 18 Pa.C.S. § 5724.

F. The application is based on new evidence or information different from and in addition to the evidence or information offered to support any prior order for interception (other than a renewal or extension of an existing order).

Rule 3544. Orders—Supplementary Target Specific.

A proposed order for a supplementary target specific wiretap shall be submitted to the Assigned Judge, and it shall state that based on the application, the Assigned Judge finds reasonable suspicion that:

A. The target of the original target specific wiretap has in fact changed communication devices or facilities or is presently using additional communication devices, communications facilities, or places.

B. The target of the original target specific wiretap is likely to use the specified communications device or facility for criminal purposes similar to or related to those specified in the original order.

C. The Applicant will be responsible for the supervision of the interception.

Rule 3545. Orders—Mobile Communication Tracking, Installation and Use of a Pen Register, Trap and Trace Device, and Telecommunication Identification Interception Device.

A proposed order for mobile communication tracking, installation and use of a pen register, trap and trace

device, or a telecommunication identification interception device shall be submitted to the Assigned Judge, and it shall state:

A. There is probable cause to believe that information relevant to an ongoing criminal investigation will be obtained from the targeted telephone.

B. The identity, if known, of the person to whom is leased or in whose name is listed the targeted telephone, or, in the case of the use of a telecommunication identification interception device, the identity, if known, of the person or persons using the targeted telephone.

C. The identity, if known, of the person who is the subject of the criminal investigation.

D. If the order is for a pen register or trap and trace device only, the physical location of the targeted telephone.

E. A statement of the offense to which the information likely to be obtained by the pen register, trap and trace device, or the telecommunication identification interception device relates.

F. Direct, upon the request of the Applicant, the furnishing of information, facilities and technical assistance necessary to accomplish the installation of the pen register under 18 Pa.C.S. § 5771.

G. In the case of a telecommunication identification interception device, direct that all interceptions be recorded and monitored in accordance with 18 Pa.C.S. § 5714(a)(1) and (2) and (b).

H. The order authorizes the disclosure or production of mobile communication tracking information or installation and use of a pen register, trap and trace device, or a telecommunication identification interception device for a period not to exceed 60 days.

I. Extensions of such an order may be granted but only upon an application for an order under 18 Pa.C.S. § 5772 and upon the judicial finding required by 18 Pa.C.S. § 5772(a). The period of each extension shall be for a period not to exceed 30 days.

J. The order be sealed until otherwise ordered by the Issuing Judge.

K. The person owning or leasing the targeted telephone, or who has been ordered by the Issuing Judge to provide assistance to the Applicant, not disclose the existence of the mobile communication tracking, pen register, trap and trace device, or telecommunication identification interception device, or the existence of the investigation to the listed subscriber, or to any other person, unless or until otherwise ordered by the Issuing Judge.

Rule 3546. Orders—Factual Statement.

After reciting the relevant facts, the order shall set forth the following:

A. The identity of the investigative or law enforcement officers or agency to whom authority to intercept is given, *i.e.*, the supervising officer named in the application along with all qualified members of the named agency.

B. The identity of the Applicant and, if the Applicant is a designee, the identity of the District Attorney or Attorney General.

C. The identity of, or a particular description of, the person(s), if known, whose communications are to be intercepted.

D. The character and location of the particular communication facilities as to which, or the particular place as to which, authority to intercept is granted, except where a target specific order is at issue.

E. A particular description of the type of communication to be intercepted and a statement of the particular offense(s) to which it relates.

F. The period of time during which such interception is authorized not to exceed 30 days, or 60 days in the cases of orders authorizing production or disclosure of mobile communication tracking, the installation and use of pen registers, trap and trace devices, or telecommunication identification interception devices, including a statement as to whether or not the interception shall automatically terminate when the described communication has been first obtained. The order shall state that such interception or tracking is authorized only for that period of time necessary under the circumstances to accomplish the objectives of the interception or tracking. The order shall require that the interception or tracking begin and terminate as soon as practicable and that the interception be conducted in such a manner as to minimize or eliminate interception of communications not otherwise subject to interception under the Wiretap Act and require reasonable efforts, whenever possible, to reduce the hours of interception.

G. The order shall require the Applicant to supervise the interception or tracking.

H. The order should require periodic progress reports to the Issuing Judge indicating the progress made toward achieving the objective of the interception or tracking and the need for continued interception.

I. If requested by the Applicant, the order shall direct the pertinent communications common carrier to furnish the Applicant with all information, facilities, and technical assistance necessary to accomplish the interception or tracking unobtrusively and with a minimum of interference with the services being afforded to the subject(s) of the interception. The order shall provide that the common carrier shall be compensated at prevailing rates.

J. If requested by the Applicant, the order shall authorize the entry of the subject premises or facilities (or other premises necessary to gain entry into the subject premises) by the law enforcement officers previously authorized in the order to conduct the interception as often as necessary solely for the purpose of installing, maintaining or removing an interception device. The order shall further provide that such entry is found to be reasonably necessary to accomplish the purposes of the Wiretap Act and shall require that the Issuing Judge be notified of the time and method of each such entry in advance, if practical, and in any event, within 48 hours of entry.

Rule 3547. Orders—Sealing Procedure.

The Issuing Judge shall note on the order the date and time at which it was signed. The original application, affidavit, and order should be placed in an envelope and sealed by the Issuing Judge. The seal should be in the form of an order signed by the Issuing Judge and affixed to the envelope by the Issuing Judge in such a manner as to prevent the removal of the contents without physically disturbing the seal. The confidential docket number should be placed on the envelope. Form sealing orders are available to assist the Applicant and may be obtained from the Supervising Judge.

Rule 3548. Duplicate Original for Communications Common Carrier.

At the time the original order is signed, a duplicate original should also be signed for presentation to the communications common carrier.

Rule 3549. Transmission of Sealed Materials.

The Assigned/Issuing Judge should then mail or hand deliver the envelope, after inserting it in another envelope marked "Confidential," to the appropriate Superior Court Prothonotary office set forth in the sealing order. Alternatively, the materials may be hand delivered by the Applicant.

Rule 3550. Renewal or Extension Procedure.

To obtain an extension pursuant to 18 Pa.C.S. § 5712(b), an application, affidavit, and proposed extension order shall be submitted to the Issuing Judge. The application must have all of the features contained in the original application and must also contain a particular statement of facts showing the results obtained to date from the interception or a reasonable explanation of the failure to obtain such results.

Rule 3551. Verbal Authorization—Application.

A. When permitted by 18 Pa.C.S. § 5713 and/or 18 Pa.C.S. § 5773 an Applicant may make a verbal, instead of written, application.

B. The verbal application should include as many of the elements of a written application and affidavit as can be provided under the emergency conditions. Application for such authorization should be made *in camera*, under oath, and on the record. Upon approval of the Assigned Judge, the application may be made by electronic means, e.g., telephone, Skype, or FaceTime. Moreover, whenever the application proceedings cannot be recorded stenographically, the Applicant shall, with the permission of all speaking parties, record the proceedings.

1. The verbal application must include sufficient facts for the Assigned Judge to find that an emergency situation exists with respect to the investigation of an offense designated in 18 Pa.C.S. § 5708, and

i. The investigation involves conspiratorial activities characteristic of organized crime; or

ii. A substantial danger to life or limb exists.

2. As a result of the facts supporting these findings, authorization for immediate interception of wire, electronic, or oral communications is needed before a written application could, with due diligence, be submitted and acted upon by the Assigned Judge.

Rule 3552. Verbal Authorization—Order.

If the Assigned Judge finds that the statutory requirements are satisfied, he or she may verbally authorize the interception of wire, electronic, or oral communications conditioned upon the filing within 48 hours of a written application for an interception order.

Rule 3553. Verbal Authorization—Required Written Application.

A. The written application and affidavit required by Rule 3552 shall include, in addition to the normal requirements, a recitation of the date, time, place, and circumstances of the verbal authorization.

B. If the Issuing Judge, after granting verbal authorization, denies a subsequent written application, the Applicant shall, in writing, request that the Issuing Judge cause an inventory to be served as provided in 18 Pa.C.S.

§ 5716. Similarly, if a subsequent written application is not made or, if made, is denied, the Applicant shall, in writing, request the Issuing Judge to seal and retain any recordings of communications intercepted pursuant to verbal authorization.

Rule 3554. Progress Reports.

If the Issuing Judge orders progress reports pursuant to 18 Pa.C.S. § 5712(d), such reports shall be submitted to the Issuing Judge in a manner consistent with Rule 3535. The Issuing Judge shall seal and file the progress reports in the same manner as applications, set forth in Rule 3547.

Rule 3555. Final Reports.

At the termination of the interception, the Applicant must submit a final report consisting of a complete written list of names of persons intercepted (if known), and evidence of offenses discovered, including those offenses not set forth in the application or order. Where communications relating to offenses other than those specified in the application or order are intercepted, the contents of those communications and any evidence derived therefrom must be included in the final report. In addition to the final report, the Applicant shall immediately, upon the termination of interception, submit all monitor's records and recordings to the Issuing Judge for sealing.

Rule 3556. Service of Inventory.

Within a reasonable time, but no later than 90 days after termination of the period of the order or any extension(s) or renewal(s) thereof or the date of denial of an order, the Applicant shall file an application with the Issuing Judge seeking an order that an inventory be served upon persons named in the order as provided in 18 Pa.C.S. § 5716(a) or shall file an application with the Issuing Judge seeking an order that postpones such service pursuant to 18 Pa.C.S. § 5716(b).

Rule 3557. 30-Day Report of Assigned Judge.

Within 30 days after the expiration of an order (or an extension or renewal), or the denial of an order confirming verbal approval of interception, the Applicant shall provide to the Issuing Judge a completed WT-2B form, which is provided by the Administrative Office of United States Courts, for his or her signature. After reviewing the form and making any necessary corrections, the Issuing Judge shall send a copy of the WT-2B form to the Administrative Office of Pennsylvania Courts, the Administrative Office of United States Courts, and the Supervising Judge.

Rule 3558. Unsealing—Motions.

A. A motion by an interested party to unseal an application, report, order, or other material previously placed under seal shall be in writing and shall be presented to the Issuing Judge. The Issuing Judge, upon good cause shown, may order an application, report, order, or other material (or portions thereof) within the Prothonotary's file to be unsealed and may impose such conditions or limitations thereon as may be necessary to safeguard the confidentiality of such information.

B. The Prothonotary, without express written permission from the Issuing Judge, shall not surrender original materials constituting a part of his or her file.

C. The motion should identify with particularity the following:

1. The specific application, report, order, or other materials sought to be unsealed.

2. The purpose for which the order is sought.

3. If the application, report, order, or other materials under seal is/are sought for a trial or other criminal proceeding, the motion shall state the type of proceeding, court docket number(s), the name(s) of the party(ies) involved, the forum, the date(s) and approximate length of time for which such application, report, order, or other materials will be utilized and name(s) and designation(s) of the person(s) having access to the unsealed application, report, order, or other materials.

4. If the application, report, order, or other materials under seal is/are sought for the purpose of disclosure to law enforcement or investigative officers in connection with a criminal investigation, the name(s) of the investigative or law enforcement officer(s) shall be set forth together with his/her/their designation(s), his/her/their authority to conduct said investigation, the purpose of the investigation and the approximate date(s) and length of time for which such application, report, order or other materials are sought.

Rule 3559. Unsealing—Orders.

A. The Issuing Judge may, upon good cause shown by the said motion, order unsealed the application, report, order, or other materials which is/are the subject of the motion for the purpose(s) set forth therein. If the motion to unseal is granted, the order authorizing unsealing shall be limited to the application, report, order, or other materials which is/are the subject of the motion. The unsealing order shall be valid for a period not to exceed 20 days or the length of the trial or other criminal proceeding or investigation, whichever period is shorter.

B. The Issuing Judge may entertain a motion to extend the life of the unsealing order and may grant same upon good cause shown. If the motion to extend is granted, the unsealing order may be extended for a period not to exceed 20 days. The motion to extend must be filed before the expiration of a previously granted motion or extension(s) therefor and should state with particularity the reason(s) for the extensions.

C. The Issuing Judge may also entertain a motion to extend the scope of a previously granted unsealing order. The motion to extend shall be filed before the termination of the trial or other criminal proceeding or investigation for which the application, order, or other materials was/were initially unsealed.

Rule 3560. Responsibility for Unsealed Documents.

After the application, report, order, or other material(s) has/have been turned over to the custody of the requesting party(ies) designated in the motion the said requesting party(ies) shall assume complete responsibility for and the safekeeping of such application, order, report, or other materials for the entire duration of the time set forth in the said unsealing order and, further, shall assume responsibility for the safe return of such application, order, report, or other materials to the Prothonotary.

Rule 3561. Return of Documents to Prothonotary.

The application, report, order, or other materials subject to the unsealing shall be returned to the Prothonotary within 48 hours of the expiration of the life of the unsealing order or within 48 hours of the termination of the trial or other criminal proceeding or investigation, whichever event occurs sooner, unless a timely motion to

extend the life of the unsealing order or to extend the scope of a previously granted unsealing order has been filed and granted.

[Pa.B. Doc. No. 19-181. Filed for public inspection February 8, 2019, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CHS. 1000, 2000 AND 2250]

Order Amending Rules 1007, 1018, 1033 and 2252 and Adopting Rule 2005 of the Pennsylvania Rules of Civil Procedure; No. 688 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 24th day of January, 2019, upon the recommendation of the Civil Procedural Rules Committee; the proposal having been published for public comment at 47 Pa.B. 3076 (June 3, 2017):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 1007, 1018, 1033, and 2252 of the Pennsylvania Rules of Civil Procedure are amended and Rule 2005 of the Pennsylvania Rules of Civil Procedure is adopted in the following form.

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

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1000. ACTIONS

Subchapter A. CIVIL ACTION

VENUE AND PROCESS

Rule 1007. Commencement of Action.

An action may be commenced by filing with the prothonotary:

- (1) a *praecipe* for a writ of summons, or
- (2) a complaint.

Official Note: For the form of the writ of summons, see Rule 1351[, *infra*].

See Rule 205.5 governing the requirement for filing a cover sheet with the pleading commencing the action.

Rule 2005(b) does not authorize the filing of a *praecipe* for a writ of summons if an unknown defendant is to be identified by a Doe designation.

PLEADINGS

Rule 1018. Caption.

Every pleading shall contain a caption setting forth the name of the court, the number of the action and the name of the pleading. The caption of a complaint shall set forth the form of the action and the names of all the parties, **including a Doe designation for an unknown defendant as provided in Rule 2005**, but in other pleadings

it is sufficient to state the name of the first party on each side in the complaint with an appropriate indication of other parties.

Official Note: Civil Actions and proceedings shall be captioned “Court of Common Pleas of _____ County—Civil Action” or other appropriate form of action.

The caption of all legal papers filed in a medical professional liability action must contain the designation “Civil Action—Medical Professional Liability Action.” See Rule 1042.16.

The caption of all legal papers filed in a civil action by and against a minor must designate the minor by the initials of his or her first and last name. See Rule 2028.

Rule 1033. Amendment.

(a) A party, either by filed consent of the adverse party or by leave of court, may at any time change the form of action, add a person as a party, correct the name of a party, or otherwise amend the pleading. The amended pleading may aver transactions or occurrences which have happened before or after the filing of the original pleading, even though they give rise to a new cause of action or defense. An amendment may be made to conform the pleading to the evidence offered or admitted.

(b) An amendment correcting the name of a party against whom a claim has been asserted in the original pleading relates back to the date of the commencement of the action if, within [**ninety**] **90** days after the period provided by law for commencing the action, the party received notice of the institution of the action such that it will not be prejudiced in maintaining a defense on the merits and the party knew or should have known that the action would have been brought against the party but for a mistake concerning the identity of the proper party.

(c) An amendment substituting the actual name of a defendant for a Doe designation as provided in Rule 2005 relates back to the date of the commencement of the action if, within the time provided by Rule 401 for service, the defendant named by the amendment has received actual or constructive notice of the commencement of the action such that it will not be prejudiced in maintaining a defense on the merits and the defendant knew or should have known that the action would have been brought against it but for lack of knowledge of the defendant’s actual name.

CHAPTER 2000. ACTIONS BY REAL PARTIES IN INTEREST

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

Rule 2005. Unknown Defendant. Doe Designation.

(a) This rule shall only apply to *in personam* actions.

(b) The plaintiff or joining party may designate an unknown defendant by a Doe designation in a complaint provided that:

- (1) a defendant’s actual name is unknown to the plaintiff or joining party after having conducted a reasonable search with due diligence;
- (2) the Doe designation is averred to be fictitious;
- (3) a factual description of the unknown defendant is averred with sufficient particularity for identification; and
- (4) the plaintiff or joining party avers that a reasonable search to determine the actual name has been conducted.

Official Note: This rule does not authorize use of a Doe designation in an action commenced by a writ of summons.

The unknown defendant should be designated by a Doe designation such as John Doe or Jane Doe.

(c) Within 20 days after the actual name of the defendant has been identified, the plaintiff or joining party shall file a motion to amend the complaint pursuant to this rule and Rule 1033 by replacing the Doe designation with the defendant's actual name. An affidavit shall be attached to the motion describing the nature and extent of the investigation that was made to determine the identity of the defendant, and the date upon and the manner in which the defendant's actual name was identified.

Official Note: Rule 1033 and this rule govern the requirements for amending a complaint to replace a Doe designation with the actual name of a defendant.

(d) The court shall grant a motion to amend filed pursuant to subdivision (c) unless the court finds that the party seeking the amendment failed to exercise due diligence in identifying the actual name of the defendant.

(e) A defendant introduced to an action by its actual name in an amended complaint, after the filing of a motion pursuant to subdivision (c) and the court's ruling, may respond by preliminary objection challenging compliance with this rule, asserting prejudice or any other ground set forth in Rule 1028.

(f) No subpoena in aid of discovery relating to a defendant identified by a Doe designation may be issued or be served without leave of court upon motion stating with particularity from whom information is sought and how the discovery will aid in identification of the unknown defendant. In deciding the motion, the court shall weigh the importance of the discovery sought against unreasonable annoyance, embarrassment, oppression, burden, or expense to any person or party from whom the discovery is sought, and prejudice to any person or entity suspected of being the unknown defendant. Leave to serve a subpoena in aid of discovery does not preclude a challenge to the subpoena by the person or entity served.

(g) No final judgment may be entered against a defendant designated by a Doe designation.

CHAPTER 2250. JOINDER OF ADDITIONAL DEFENDANTS

Rule 2252. Right to Join Additional Defendants.

(a) Except as provided by Rule 1706.1, any party may join as an additional defendant any person not a party to the action who may be

(1) solely liable on the underlying cause of action against the joining party, or

Official Note: The term "underlying cause of action" refers to the cause of action set forth in the plaintiff's complaint or the defendant's counter-claim.

(2) [Rescinded.

(3) Rescinded.

(4)] liable to or with the joining party on any cause of action arising out of the transaction or occurrence or series of transactions or occurrences upon which the underlying cause of action against the joining party is based.

Official Note: [Paragraph (4)] Subdivision (a)(2) permits a joining party to join an additional defendant

who may be liable over on the underlying cause of action against the joining party or jointly and severally liable with the joining party.

The joinder of an additional defendant in a class action is limited by Rule 1706.1 to the grounds set forth in that rule.

(b) The joining party may file as of course a *praecipe* for a writ or a complaint.

Official Note: Rule 2005(b) does not authorize the filing of a praecipe for a writ of summons if an unknown defendant is to be identified by a Doe designation.

(1) If the joinder is by writ, the joining party shall file a complaint within twenty days from the filing of the *praecipe* for the writ. If the joining party fails to file the complaint within the required time, any other party may seek a rule to file the complaint and an eventual judgment of *non pros* in the manner provided by Rule 1037(a) for failure to file a complaint.

(2) The complaint, in the manner and form required of the initial pleading of the plaintiff in the action, shall set forth the facts relied upon to establish the liability of the joined party and the relief demanded.

Official Note: For the form of notice to defend in a complaint to join an additional defendant, see Rule 1018.1.

(c) The writ to join an additional defendant shall be directed to the additional defendant and shall be substantially in the following form:

Commonwealth of Pennsylvania

County of _____

(Caption)

To _____ : (Name of Additional Defendant)

You are notified that _____
(Name(s) of Defendant(s))

has (have) joined you as an additional defendant in this action, which you are required to defend.

Date _____

Seal of Court _____
(Name of Prothonotary (Clerk))

By _____
(Deputy)

[(d) Rescinded.]

Official Note: See Rule 1031.1 governing cross-claims for the procedure to assert a claim against a person already a party to an action.

EXPLANATORY COMMENT

The Supreme Court of Pennsylvania has adopted new Rule 2005 governing the naming of unknown, or John/Jane Doe, defendants in a complaint. Currently, the Rules of Civil Procedure are silent as to the use of Doe defendants in litigation; however, case law shows that the naming of Doe defendants has occurred. Rule 2005 is intended to fill this gap by standardizing the procedure in which to assert a cause of action against a Doe defendant.

The rule requires a complaint using a John/Jane Doe or similar designation to describe the defendant with sufficient particularity for identification. The rule imposes a duty on the plaintiff or joining party to exercise due diligence in identifying the actual name of the defendant both before and after the complaint is filed. While a

sufficient description of an unknown defendant is typically fact specific to a particular case, it may include the physical characteristics of the unknown defendant, the position or title of the job performed by the unknown defendant, the alleged conduct of the unknown defendant, and how the unknown defendant is connected to the action.

Once served, the previously designated Doe defendant may challenge the filing party's due diligence by filing preliminary objections, asserting prejudice or any other ground set forth in Rule 1028. A defendant originally named by a Doe designation is not precluded from asserting nor is the grant of a motion to amend determinative of a defense based on a statute of limitations or repose.

It is important to note that designating a Doe defendant as a mere placeholder or as use as a class of defendants, *e.g.*, John Doe Defendants 1—10, is not a valid use of Rule 2005. The rule is not intended to create a practice of naming Doe defendants as a catch-all category in the event a probable defendant is not named in a complaint. Rule 2005 requires the information in the complaint concerning the Doe defendant to sufficiently describe that defendant for all intents and purposes except by its actual name.

Rule 2005 is not intended to affect the substantive rights of any litigant. The ability to substitute the actual name of the Doe defendant after the expiration of the statute of limitations does not impermissibly extend it. Rule 2005 does not extend the time for filing an action as prescribed by the applicable statute of limitations.

The rule is intended solely to provide a procedural mechanism to substitute the actual name of a Doe-designated defendant where the action has been filed within the limitations period and the defendant has been adequately described in the complaint to demonstrate that it was *that defendant* against whom the action was asserted.

*By the Civil Procedural
Rules Committee*

DAVID L. KWASS,
Chair

[Pa.B. Doc. No. 19-182. Filed for public inspection February 8, 2019, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 1, 5 AND 11]

Order Amending Rules 163, 195, 512 and 1147 and Adopting Rules 148, 1146 and 1148 of the Pennsylvania Rules of Juvenile Court Procedure; No. 784 Supreme Court Rules Doc.

Amended Order

Per Curiam

And Now, this 21st day of December, 2018, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been published for public comment at 47 Pa.B. 3336 (June 17, 2017):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that:

1) Pennsylvania Rules of Juvenile Court Procedure 163, 195, 512, and 1147 are amended; and

2) Pennsylvania Rules of Juvenile Court Procedure Rules 148, 1146, and 1148 are adopted in the following form.

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

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

PART B(1). EDUCATION AND HEALTH OF JUVENILE

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

Rule 148. Educational Stability and Removal from Home.

A. *General Rule.* Any order resulting in the removal of the juvenile from home or a change in placement shall address the educational stability of the juvenile.

B. *School of Origin.* A juvenile removed from home shall remain in their school of origin unless the court finds remaining in the school of origin is not in the juvenile's best interest or protective of the community. If the court finds that it is not in the best interest for the juvenile or protective of the community to remain in the school of origin, then the court may order the juvenile to be enrolled in another school that best meets the juvenile's needs.

C. *Another School.* If a court orders the juvenile to be enrolled in another school pursuant to paragraph (B), then the juvenile shall attend a public school unless the court finds that a public school is not in the best interest of the juvenile or protective of the community.

Comment

This rule is intended to apply at any point in a delinquency proceeding when the juvenile is removed from home, including pre-dispositional detention placement and post-dispositional modification resulting in the juvenile's out of home placement or a change to that placement. This rule is intended to complement rather than supersede the requirements of Rule 512(D)(6).

In paragraph (B), the best interest determination should be based on factors including the appropriateness of the current educational setting considering the juvenile's needs, the proximity of the school of origin relative to the placement location, and the protection of the community. This paragraph is intended to facilitate educational stability while the juvenile remains under the jurisdiction of the Juvenile Court and to codify the presumption that a juvenile is to remain in their school of origin absent evidence that it is not in the best interest of the juvenile or protective of the community to do so.

In paragraph (C), circumstances indicating that it may not be in the best interest for the juvenile to attend a public school includes the security and safety of the juvenile and treatment needs. Paragraph (C) is intended to codify the presumption that a juvenile is to attend public school while in placement absent evidence demonstrating that it is not in the best interest of the juvenile or protective of the community to do so. The bundling of

residential services and educational services should not be permitted without a court order authorizing such.

For release of information to school, see Rule 163.

Official Note: Rule 148 adopted December 21, 2018, effective May 1, 2019.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 148 published with the Court's Order at 49 Pa.B. 610 (February 9, 2019).

PART C. RECORDS

PART C(1). ACCESS TO JUVENILE RECORDS

Rule 163. Release of Information to School.

* * * * *

Comment

For educational stability of juvenile when removed from home, see Rule 148.

Pursuant to paragraph (B), the juvenile probation office is required to provide notice to the building principal or his or her designee for maintaining court records separately from official school records. Some school districts have established local policies relating to the receipt of this information that requires the information to be provided to a school district official other than a building principal. That individual should be regarded as the building principal's designee with respect to the provisions of this rule.

* * * * *

Official Note: Rule 163 adopted April 1, 2005, effective October 1, 2005. Amended May 21, 2012, effective August 1, 2012. Amended July 28, 2014, effective September 29, 2014. **Rule 163 amended December 21, 2018, effective May 1, 2019.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 163 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 163 published with the Court's Order at 42 Pa.B. 3203 (June 9, 2012).

Final Report explaining the amendments to Rule 163 published with the Court's Order at 44 Pa.B. 5447 (August 16, 2014).

Final Report explaining the amendments to Rule 163 published with the Court's Order at 49 Pa.B. 610 (February 9, 2019).

PART D(2). JUVENILE PROBATION OFFICERS

Rule 195. Powers, Duties, and Training of a Juvenile Probation Officer.

A. Powers and Duties of a Juvenile Probation Officer. Subject to any limitation imposed by the court, a juvenile probation officer shall:

- 1) take children, juveniles, and minors into custody pursuant to:
 - a) the Juvenile Act, 42 Pa.C.S. §§ 6304 and 6324;
 - b) the Child Protective Services Law (CPSL), 23 Pa.C.S. [§] §§ 6301 *et seq.*;
 - c) a bench warrant as set forth in Rules 140, 141, and 1140; or
 - d) Rule 1202;

- 2) authorize detention or shelter care for a juvenile, and the shelter care of a child, pursuant to 42 Pa.C.S. §§ 6304, 6325, or 6331;

- 3) receive and examine written allegations unless the District Attorney has elected to receive and approve all written allegations pursuant to Rule 231(B);

- 4) make appropriate referrals for informal adjustment, consent decree, or other diversionary programs;

- 5) file petitions if diversionary programs are not appropriate unless the District Attorney has elected to file all petitions pursuant to Rule 330(A);

- 6) make investigations, reports, including social studies pursuant to Rule 513, and recommendations to the court;

- 7) make appropriate referrals to private and public agencies, psychological or psychiatric providers, drug and alcohol facilities or programs, or any other necessary treatments or programs;

- 8) communicate to the court and parties, and facilitate any special needs, including health and education, of the juvenile;

- 9) supervise and assist a juvenile placed on probation or a child under the court's protective supervision or care;

- 10) search the person and property of juveniles pursuant to 42 Pa.C.S. § 6304(a.1);

- 11) regularly oversee and visit juveniles in placement facilities;

- 12) report suspected child abuse pursuant to 23 Pa.C.S. § 6311; [and]

13) receive allegations that a child has failed to satisfy penalties for violating compulsory school attendance, as permitted by local rule; and

[13] 14) perform any other functions as designated by the court.

B. Limitations on [powers and duties] Powers and Duties. The President Judge of each judicial district may limit the power and duties of its juvenile probation officers by local rule.

C. Training. [No later than January 1, 2012 or within] Within 180 days after being appointed or employed, a juvenile probation officer shall be trained on:

- 1) the Juvenile Act;
- 2) the Pennsylvania Rules of Juvenile Court Procedure;
- 3) the Child Protective Services Law (CPSL); and
- 4) any local procedures.

Comment

Pursuant to paragraph (A)(1), a juvenile probation officer has the authority to take children, juveniles, and minors into custody pursuant to the Juvenile Act, the CPSL, a bench warrant, or Rule 1202. 23 Pa.C.S. [§] §§ 6301 *et seq.* and 42 Pa.C.S. [§] §§ 6301 *et seq.*

When a juvenile is under the court's supervision, the juvenile probation officer may take a juvenile into custody pursuant to the Juvenile Act, 42 Pa.C.S. §§ 6304(a)(3) and (5) and 6324(1) through (5), and bench warrants as set forth in Rules 140, 141, and 1140.

When a child, juvenile, or minor is not under the court's supervision, the juvenile probation officer, as a duly authorized officer, may take a child, juvenile, or minor into custody pursuant to the Child Protective Services

Law (CPSL), 23 Pa.C.S. § 6315 and the Juvenile Act, 42 Pa.C.S. §§ 6304(a)(3) and (5) and 6324(1), (3), and (4).

A properly commissioned juvenile probation officer is vested with all the powers and duties as set forth in 42 Pa.C.S. § 6304 and the power to take a child into protective custody as a duly authorized officer of the court pursuant to 42 Pa.C.S. § 6324 unless the President Judge has limited such authority pursuant to paragraph (B).

The President Judge may adopt a local rule, pursuant to the procedures of Rule 121 **and Pa.R.J.A. No. 103(d)**, limiting the authority granted by the commission to juvenile probation officers. In determining whether to limit the authority of juvenile probation officers, the President Judge should consider the training and experience necessary to perform the various duties as provided in this rule. For example, the President Judge may choose to prohibit juvenile probation officers from taking a child into protective custody who is believed to be in imminent danger from his or her surroundings, but who is not under the court's supervision as a delinquent or dependent child. *See* 42 Pa.C.S. § 6324.

In situations when a juvenile probation officer takes a child into protective custody who is in imminent danger from his or her surroundings pursuant to 42 Pa.C.S. § 6325, 23 Pa.C.S. § 6315, and Rule 1202, the juvenile probation officer should take the appropriate steps to ensure the child's safety, immediately contact the county agency, and document for the county agency the circumstances which necessitated protective custody. *See* Rule 1202 and its Comment.

The juvenile probation officer may also supervise or assist a child placed in his or her protective supervision or care by the court. *See* 42 Pa.C.S. § 6304.

Pursuant to paragraph (A)(3), the juvenile probation officer is to receive written allegations from local law enforcement agencies to determine if a case may proceed to juvenile court. However, pursuant to Rule 231(B), the District Attorney of any county may require initial receipt and approval of written allegations before a delinquency proceeding may be commenced. *See* Rule 231(B).

Pursuant to paragraph (A)(6) and (7), the juvenile probation officer is to prepare reports compiling the juvenile's information for the court and make the necessary referrals to programs supported by a need revealed during the investigation.

Pursuant to paragraph (A)(8), the juvenile probation officer is to communicate the information to all parties before approaching the court. *See* Rule 136 for *ex parte* communication.

Pursuant to paragraph (A)(11), the juvenile probation officer is to oversee all juveniles ordered to placement facilities. Juvenile probation officers should visit all juveniles in placement facilities on a regular basis to determine if: 1) the juvenile is receiving the appropriate treatment; and 2) the facility is meeting the needs of the child. The Juvenile Court Judges' Commission Standards Governing Aftercare Services recommend that all juveniles be visited on a monthly basis. The juvenile probation officer is to report any irregularities or controversies to the court and all parties as soon as they are made known to the juvenile probation officer.

Pursuant to paragraph (A)(13), the President Judge may adopt a local rule to permit the juvenile probation office to receive allegations that a child has failed to pay fines or costs related to a truancy conviction. See 24 P.S. § 13-1333.3(f)(2). Nothing in

this paragraph is intended to preclude the use of diversionary programs to address the nonpayment of fines or costs.

Pursuant to paragraph [(A)(13)] (A)(14), a juvenile probation officer may perform any other function designated by the court to carry out the purposes of the Juvenile Act.

Pursuant to paragraph (C), the juvenile probation officer is to be trained in the Juvenile Act, the Pennsylvania Rules of Juvenile Court Procedure, the CPSL, and any local procedures. The training is to occur within 180 days of the juvenile probation officer's appointment or employment. It is best practice for juvenile probation officers to receive training within the first ninety days of employment. It is also best practice that juvenile probation officers receive specialized training and educational updates on a continuing basis.

Specialized training for juvenile probation officers should include delinquency and dependency procedures and areas that address their duties as officers of the court.

Official Note: Rule 195 adopted May 20, 2011, effective July 1, 2011. **Amended December 21, 2018, effective May 1, 2019.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 195 published with the Court's Order at 41 Pa.B. 2839 (June 4, 2011).

Final Report explaining the amendments to Rule 195 published with the Court's Order at 49 Pa.B. 610 (February 9, 2019).

CHAPTER 5. DISPOSITIONAL HEARING

PART B. DISPOSITIONAL HEARING AND AIDS

Rule 512. Dispositional Hearing.

* * * * *

D. *Court's Findings.* The court shall enter its findings and conclusions of law into the record and enter an order pursuant to Rule 515. On the record in open court, the court shall state:

- 1) its disposition;
- 2) the reasons for its disposition;
- 3) the terms, conditions, and limitations of the disposition; and
- 4) if the juvenile is removed from the home:
 - a) the name or type of any agency or institution that shall provide care, treatment, supervision, or rehabilitation of the juvenile[, and];
 - b) its findings and conclusions of law that formed the basis of its decision consistent with 42 Pa.C.S. §§ 6301 and 6352, including why the court found that the out-of-home placement ordered is the least restrictive type of placement that is consistent with the protection of the public and best suited to the juvenile's treatment, supervision, rehabilitation, and welfare; **and**

c) the provision of educational services for the juvenile pursuant to Rule 148;

- 5) whether any evaluations, tests, counseling, or treatments are necessary;
- 6) any findings necessary to ensure the stability and appropriateness of the juvenile's education, and when

appropriate, the court shall appoint an educational decision maker pursuant to Rule 147; and

7) any findings necessary to identify, monitor, and address the juvenile's needs concerning health care and disability, if any, and if parental consent cannot be obtained, authorize evaluations and treatment needed.

Comment

* * * * *

Official Note: Rule 512 adopted April 1, 2005, effective October 1, 2005. Amended May 17, 2007, effective August 20, 2007. Amended April 21, 2011, effective July 1, 2011. Amended April 29, 2011, effective July 1, 2011. Amended May 16, 2011, effective July 1, 2011. Amended May 26, 2011, effective July 1, 2011. Amended July 18, 2012, effective October 1, 2012. Amended April 6, 2017, effective September 1, 2017. Amended May 11, 2017, effective October 1, 2017. **Amended December 21, 2018, effective May 1, 2019.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 512 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 512 published with the Court's Order at 37 Pa.B. 2506 (June 2, 2007).

Final Report explaining the amendments to Rule 512 published with the Court's Order at 41 Pa.B. 2319 (May 7, 2011).

Final Report explaining the amendments to Rule 512 published with the Court's Order at 41 Pa.B. 2413 (May 14, 2011).

Final Report explaining the amendments to Rule 512 published with the Court's Order at 41 Pa.B. 2684 (May 28, 2011).

Final Report explaining the amendments to Rule 512 published with the Court's Order at 41 Pa.B. 3180 (June 25, 2011).

Final Report explaining the amendments to Rule 512 published with the Court's Order at 42 Pa.B. 4909 (August 4, 2012).

Final Report explaining the amendments to Rule 512 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017).

Final Report explaining the amendments to Rule 512 published with the Court's Order at 47 Pa.B. 2969 (May 27, 2017).

Final Report explaining the amendments to Rule 512 published with the Court's Order at 49 Pa.B. 610 (February 9, 2019).

Subpart B. DEPENDENCY MATTERS

CHAPTER 11. GENERAL PROVISIONS

PART B(1). EDUCATION AND HEALTH OF CHILD

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

Rule 1146. Notice of Truancy Hearing.

Upon receiving written notice of a hearing regarding a citation or complaint for truancy against a child or a person in parental relation pursuant to 24 P.S. § 13-1333.1 when the child is the subject of a dependency proceeding, the county agency shall serve a copy of the notice upon the dependency court and parties.

Comment

Pursuant to 24 P.S. § 13-1333.2(b)(1), the court in which a truancy citation or complaint is filed shall provide the county agency with written notice of the hearing. For definition of "person in parental relation," see 24 P.S. § 13-1326.

The President Judge may adopt local rules coordinating jurisdiction and proceedings between the judge of the court where the citation or complaint was filed and the dependency court judge. Coordination may include, but is not limited to, the entry of an order staying the truancy proceeding for further consideration by the dependency court.

Official Note: Rule 1146 adopted December 21, 2018, effective May 1, 2019.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1146 published with the Court's Order at 49 Pa.B. 610 (February 9, 2019).

Rule 1147. Educational Decision Maker.

A. *Generally.* At any proceeding or upon motion, the court shall appoint an educational decision maker for the child if it determines that:

- 1) the child has no guardian; or
- 2) the court, after notice to the guardian and an opportunity for the guardian to be heard, has made a determination that it is in the child's best interest to limit the guardian's right to make decisions regarding the child's education.

B. *Notice of hearings.* The educational decision maker shall receive notice of all proceedings.

C. *Duties and responsibilities.* The educational decision maker shall:

- 1) make appropriate inquiries and take appropriate actions to ensure that:
 - a) issues concerning the child's educational stability are addressed;
 - b) school discipline matters are addressed;
 - c) the child is receiving appropriate education that will allow the child to meet state standards, including any necessary services concerning special education in the least restrictive environment, or remedial services;

d) the child, who is [**sixteen**] **fourteen** years of age or older, is receiving the necessary educational services to transition to [**independent living**] **successful adulthood**;

e) the child, who is receiving services concerning special education, is engaged in transition planning with the school entity beginning no later than the school year in which the child turns fourteen; and

f) the child, who is aging out of care within ninety days, has a transition plan that addresses the child's educational needs, and if applicable, the plan is coordinated with the child's transition planning concerning special education under the Individuals with Disabilities Education Act.

- 2) address the child's educational needs by:
 - a) meeting with the child at least once and as often as necessary to make decisions regarding education that are in the **child's** best interests [**of the child**];

b) participating in special education and other meetings, and making decisions regarding all matters affecting the child's educational needs in a manner consistent with the child's best interests;

c) making any specific recommendations to the court relating to:

i) the timeliness and appropriateness of the child's educational placement;

ii) the timeliness and appropriateness of the child's transitional planning; and

iii) services necessary to address the child's educational needs;

d) appearing and testifying at court hearings when necessary; and

e) having knowledge and skills that ensure adequate representation of the child.

Comment

A child in dependent care is to have a clearly identified, legally authorized educational decision maker. This is a particular concern for highly mobile children whose caregivers may change and whose guardian may be unavailable. An educational decision maker's responsibilities may include, but are not limited to: ensuring educational stability as mandated by 42 U.S.C. §§ 675(1)(G) and 11431 *et seq.*; ensuring prompt enrollment in a new school as required pursuant to 22 Pa. Code § 11.11(b); facilitating access to a full range of school programs; advocating for the child in school discipline matters; ensuring meaningful transition planning as required by 42 Pa.C.S. § 6351 and 42 U.S.C. § 675(5)(H); and for a child eligible for special education, ensuring access to appropriate services including transition planning beginning no later than age fourteen. *See* 24 P.S. §§ 13-1371, 13-1372, 20 U.S.C. [§] §§ 1400 *et seq.* *See* paragraph (A) and (C).

An educational decision maker appointed pursuant to this rule who represents a child who is also adjudicated delinquent is to review Rule 147.

A court is not to appoint an educational decision maker if there is a parent, guardian, or other authorized person (*e.g.*, foster parent, relative with whom the child lives or surrogate parent appointed under the IDEA) who is competent, willing, and available to make decisions regarding the child's education and who is acting in the child's best interest regarding all educational matters. *See* Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. [§] §§ 1400 *et seq.* (2004). A court should limit the authority of a parent to make decisions regarding education only to the extent necessary to protect the child's interest and can reinstate the parent or change the educational decision maker at any time.

Unless limited by the court in its appointment order, an educational decision maker: 1) is responsible for making all decisions concerning education, including special education, for the child; and 2) can consent to or prohibit the release of information from the child's school records as a parent in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g and 34 C.F.R. § 99.3 (1974). The educational decision maker may be a family member, a family friend, a mentor, a foster parent, a former foster parent, a Court Appointed Special Advocate, or, if an educational decision maker for special education is not needed, a child welfare professional. Except as otherwise provided by the IDEA, it is within the discretion of the court to appoint an educational decision maker and whom to appoint. In all cases, however, an educa-

tional decision maker appointed by the court should be familiar with a child's educational rights or is to agree to be trained regarding these issues.

If the child is or may be eligible for special education, an educational decision maker is to be appointed in accordance with the standards and procedures set forth in federal and state laws concerning special education. *See* IDEA, 20 U.S.C. §§ 1400, 1401(23), and 1415(b)(2); 34 C.F.R. §§ 300.30, 300.45, and 300.519. The IDEA recognizes a court's authority to appoint persons to make decisions concerning special education for a child. However, such decision makers cannot be the State or employees of any agency that is involved in the education or care of the child. 34 C.F.R. § 300.519(c), (d)(2)(i).

The educational decision maker should refer to the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) and the McKinney-Vento Homeless Assistance Act, 42 U.S.C. [§] §§ 11431 *et seq.* (1989) for guidance in educational stability. Specifically, the educational decision maker is to: a) ensure the right to remain in the same school regardless of a change in placement when it is in the child's best interest; b) facilitate immediate enrollment in a new school when a school change is in the child's best interest; and c) ensure that school proximity is considered in all placement changes, 42 U.S.C. §§ 675(1)(G) and 11431 *et seq.*

The educational decision maker is to also ensure: a) that the child receives an appropriate education, including, as applicable, any necessary special education, early intervention, or remedial services; *see* 24 P.S. §§ 13-1371, 13-1372, 55 Pa. Code § 3130.87, 20 U.S.C. [§] §§ 1400 *et seq.*; b) that the child receives educational services necessary to support the child's transition to [**independent living pursuant to 42 Pa.C.S. § 6351**] **successful adulthood** if the child is [**sixteen**] **fourteen** or older **pursuant to 42 Pa.C.S. § 6351(F)(8)**; and c) that the educational decision maker participates in the development of a transition plan that addresses the child's educational needs pursuant to 42 U.S.C. § 675(5)(H) if the child will age out of care within ninety days.

The authority of the court to appoint an educational decision maker is derived from the broad powers of the court to issue orders that "provide for the care, protection, safety, and wholesome mental and physical development of children." 42 Pa.C.S. § 6301(b)(1.1). The IDEA also requires that each child who is eligible for special education has an active parent or other identified person who can participate in the process concerning special education. *See* IDEA, 20 U.S.C. §§ 1401(23) and 1415(b)(2); 34 C.F.R. §§ 300.30, 300.45, and 300.519.

Official Note: Rule 1147 adopted April 29, 2011, effective July 1, 2011. **Amended December 21, 2018, effective May 1, 2019.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1147 published with the Court's Order at 41 Pa.B. 2413 (May 14, 2011).

Final Report explaining the amendments to Rule 1147 published with the Court's Order at 49 Pa.B. 610 (February 9, 2019).

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

Rule 1148. Educational Stability and Placement.

A. *General Rule.* Any order resulting in the placement of a child or a change in placement shall address the educational stability of the child.

B. *School of Origin.* A child in placement shall remain in their school of origin unless the court finds remaining in the school of origin is not in the child's best interest. If the court finds that it is not in the best interest of the child to remain in the school of origin, then the court may order the child to be enrolled in another school that best meets the child's needs.

C. *Another School.* If a court orders the child to be enrolled in another school pursuant to paragraph (B), then the child shall attend a public school unless the court finds that a public school is not in the best interest of the child.

Comment

This rule is intended to apply at any point in a dependency proceeding when the child is in placement, including pre-dispositional placement and post-dispositional modification of a dependent child's placement. This rule is intended to complement rather than supersede the requirements of Rule 1512(D)(1)(i).

In paragraph (B), the best interest determination should be based on factors including the appropriateness of the current educational setting considering the child's needs and the proximity of the school of origin relative to the placement location. This paragraph is not intended to usurp the administrative process contemplated by the Elementary and Secondary Education Act of 1965, *as amended*, 20 U.S.C. § 6311(g)(1)(E). This paragraph is intended to facilitate educational stability while the child remains under the jurisdiction of the Juvenile Court and to codify the presumption that a child is to remain in their school of origin absent evidence that it is not in the child's best interest to do so.

In paragraph (C), circumstances indicating that it may not be in the best interest for the child to attend a public school include the security and safety of the child and treatment needs. Paragraph (C) is intended to codify the presumption that a child is to attend public school while in placement absent evidence demonstrating that it is not in the best interest of the child to do so. The bundling of residential services and educational services should not be permitted without a court order authorizing such.

A court may consider an Individualized Education Program, Service Agreement, or administrative determination in making findings pursuant to this Rule.

Official Note: Rule 1148 adopted December 21, 2018, effective May 1, 2019.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1148 published with the Court's Order at 49 Pa.B. 610 (February 9, 2019).

FINAL REPORT¹**Amendment of Pa.R.J.C.P. 163, 195, 512, and 1147
New Pa.R.J.C.P. 148, 1146, and 1148**

On December 21, 2018, the Supreme Court amended Rules of Juvenile Court Procedure 163, 195, 512, and 1147, and adopted new Rules 148, 1146, and 1148 to improve the educational stability of juveniles and chil-

dren, effective May 1, 2019. The changes consist of three components: 1) changes to implement the Act of November 3, 2016, P.L. 1061, concerning truancy matters; 2) changes to update Rule 1147 in light of Act 94 of 2015, P.L. 559, which amended 42 Pa.C.S. § 6351(F)(8); and 3) the creation of procedures for the judicial determination of the delivery of educational services for dependent/delinquent youth in placement.

This proposal was previously published for comment at 47 Pa.B. 3336 (June 7, 2017). Following the review and deliberation on all the comments received, the Committee revised the proposal in several aspects.

Truancy

In 2016, Pennsylvania substantially revised its truancy laws. Section 5 of the Act of November 3, 2016, P.L. 1061, amended Section 1333.3(F)(2) of the Public School Code, 24 P.S. § 13-1333.3(f)(2). In response, the Committee proposed amending Rule 195 to add paragraph (A)(13) to recognize that a juvenile probation officer (JPO) may receive allegations that a child has also failed to satisfy penalties arising from a truancy citation. Consistent with the statute, the Rule first required a local rule permitting the receipt of these allegations. It is contemplated that the local rule would provide guidance as to further actions of the juvenile probation officer with regard to those allegations.

A commenter suggested that Rule 195 should discuss the purpose for which the JPO may receive allegations. The Committee concluded that the statute, 24 P.S. § 13-1333.3(f)(2), speaks for itself. While the statute does not explicitly provide for diversionary programs, the Committee saw merit in the continued use of diversionary programs when the President Judge via local rule approved such a program. Accordingly, the Committee revised the Comment to Rule 195 to specifically reference the availability of diversionary programs.

The Committee believed the truancy legislation also provided an opportunity to coordinate actions between the dependency court and the court where a truancy citation is filed when a dependent child or a "person in parental relation" to the child is charged with truancy. As amended, 24 P.S. § 13-1333.2(b)(1) requires the court to send a hearing notice to the county agency when a truancy citation is filed. Utilizing this notice mechanism, Rule 1146 would require the county agency to then provide notice of the hearing to the dependency court and the parties. Thereafter, the dependency court judge and the truancy court judge could coordinate proceedings.

Based upon the comments, the Committee realized that the proposed language may be interpreted to require notice be given to the dependency court in truancy matter. That was not the intention. Post-publication, Rule 1146 was revised to clarify that the county agency need only serve a copy of the truancy notice on the court and parties if there was an open dependency matter.

Education Decision Makers (Rule 1147)

Act 94 of 2015 amended 42 Pa.C.S. § 6351(F)(8) to require at each permanency hearing a judicial determination of the services needed to assist a child who was 14 years of age or older to successfully transition to adulthood. The amendment lowered the age of applicability from 16 years of age to 14. This amendment was incorporated into Rule 1608(D)(1)(k) on December 9, 2015.

Rule 1147(C)(1)(d), regarding the duties of educational decision makers ("EDMs"), requires EDMs to inquire and act to ensure that a child 16 years of age or older is

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

receiving the necessary educational services to transition to independent living. Upon review of the legislation, the Committee believed that “services” in Section 6351(F)(8) of the Juvenile Act included “educational services” as used in Rule 1147. Accordingly, the Committee proposed to amend Rule 1147 and the Comment to reflect that interpretation, including the lower age.

Educational Stability (Rule 148 and 1148)

The Elementary and Secondary Education Act of 1965, *as amended*, 20 U.S.C. § 6311(g)(1)(E), requires that a child in placement remain in their school of origin unless it is not in the child’s best interest. In response, the Committee proposed new Rule 1148 to establish a procedural requirement for the court to conduct a best interest analysis if a child in placement was not to remain in their school of origin. The Rule’s purpose was to maintain the child’s educational stability. Further, this requirement would extend beyond dependency proceedings to include the removal of a juvenile from home in delinquency proceedings via new Rule 148. Both Rule 148 and Rule 1148 would be applicable to any order resulting in the placement of a child or the removal of a juvenile from home.

Several commenters suggested “or a change in placement” be added to paragraph (A) of Rules 148 and 1148 so that educational needs were addressed not just upon removal, but also when there was a change in placement. The Committee agreed and revised the text to add this suggestion.

There was a suggestion to strike “community’s best interest” in paragraph (B) of Rule 148. The Committee believed that the court was required to consider the protection of the community in delinquency matters and it was a sufficiently important factor when considering educational needs that it should be specifically included in the rule text. The language was revised from “community’s best interest” to “protective of the community” to more closely reflect the language of the Juvenile Act. This revision was made to paragraph (B) and (C).

A commenter recommended adding a new paragraph (E) that would require the court’s decision regarding the juvenile’s schooling to be in a separate order and served on the school responsible for educating the juvenile. The Committee did not favor requiring a separate order—a separate order was not needed in every case so it did not seem efficient to require a separate order in every case. There may be times when a separate order is necessary to avoid disclosing unnecessary details to the school, but the courts have the discretion to enter such orders. Notwithstanding, the Committee favored including a citation to Rule 148 in the Comment to Rule 163 (Release of Information to School) to indicate that sharing educational stability information was permitted.

Rule 1148 is the dependency analog to Rule 148. While the procedures set forth in both rules are very similar, the stakeholders in delinquency and dependency proceedings differ, which is reflected in the comments to Rule 1148. It is beyond countenance that the court is obligated to ensure the stability and appropriateness of a child’s education. *See, e.g.*, Pa.R.J.C.P. 1512(D)(1)(i); Pa.R.J.C.P. 1609(E)(1)-(2). The commentary accompanying the Rules requires the court to address the child’s educational stability, including 1) the child’s right to remain in the same school regardless of a change in placement when it is in the child’s best interest; 2) the immediate enrollment when a school change is in the child’s best interest; and 3) consideration of the school’s proximity in all placement

changes. The changes brought by the Every Student Succeeds Act, Pub.L. 114-95, amending 20 U.S.C. § 6311, only serve to reinforce what is already required by the Rules—once the child is subject to juvenile court jurisdiction, the court is required to make educational decisions in the child’s best interest.

[Pa.B. Doc. No. 19-183. Filed for public inspection February 8, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BERKS COUNTY

Amendments to Local Rules; No. 19-1 Prothonotary

Order

And Now, this 17th day of January, 2019, the following amendments to Berks County Orphan’s Court Rules 2.5A; 2.7A; 14.1A; 14.3A; 14.4A; 14.8A; and 14.8B and new Orphan’s Court Rules 2.6A; 2.6B and 2.6C shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*, in accordance with Pa.R.J.A. No. 103(c)(5)(iii) and No. 103(d)(5)(iii).

(New language is bold and underscored, and deleted language is shown bracketed and bold.)

The District Court Administrator is *Ordered* and *Directed* to:

1. Submit one (1) copy of this Order, including the amended rules, to the appropriate Rules Committee of the Supreme Court of Pennsylvania for review.
2. Distribute two (2) copies of this Order, including the amended rules, and one (1) disk copy with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. File one (1) copy of this Order, including the amended rules, with the Administrative Office of Pennsylvania Courts contemporaneously with publishing the local rules in the *Pennsylvania Bulletin*.
4. Compile the local rules within the complete set of local rules available on the Berks County Court website no later than 30 days following publication in the *Pennsylvania Bulletin*.
5. Distribute one (1) copy of this Order, including the amended rules to the Berks County Prothonotary’s Office so they can keep them continuously available for public inspection and copying.

THOMAS G. PARISI,
President Judge

CHAPTER II. ACCOUNTS, OBJECTIONS AND DISTRIBUTIONS

Rule 2.5A. [**Audit Date**] **Notice of Account Contents.**

[**Accounts for audit shall be called on the first Wednesday of each month at 9:00 a.m. in the courtroom as posted. Special days for audit may be appointed at the call or order of the court. Accounts shall be scheduled for audit on the audit date next following the expiration of 30 days after filing the account.]**

The notice of account shall also contain the following in substantively similar form:

(a) The account has been filed with the Clerk of the Orphans' Court Division;

(b) Any objections to the account must be made in writing and filed with the Clerk of the Orphans' Court Division any time prior to the date set forth for submission by the Clerk to the Court for review but no later than the close of business of the last business day prior to the submission to the Court;

(c) The account will be submitted to the Court on the day of and final confirmation thereof and an adjudication may be entered if written objections are not filed with the Clerk prior to that date; and

(d) A statement that if the person does not agree with the accountant's accounting or has an objection to any transaction shown in the account or omitted from the account the person must file with the Clerk of the Orphans' Court Division objections thereto in writing in conformity with the Pennsylvania Orphans' Court Rules and the Berks County Orphans' Court Rules, otherwise the court may assume the person has no objections to the account and he or she is in agreement with the accountant's interpretation.

Rule 2.6A. Required Documents.

No account shall be accepted for filing and advertisement unless accompanied by the Supreme Court-approved Petition for Adjudication/ Proposed Statement of Distribution.

Rule 2.6B. Advertising of Accounts.

The Clerk shall advertise the list of all accounts to be submitted for audit for two (2) consecutive weeks the last two (2) Thursdays of every month all accounts filed with the Clerk prior to the date of submission to the Court. The advertising required of the Clerk shall include the following:

(a) Name of the estate, trust, guardianship;

(b) The name and capacity of the accountant;

(c) The name of the counsel for the accountant; and

(d) With the following statement: The following accounts have been filed and may be examined in the Clerk of the Orphans' Court office. If you desire to object, you must file objections in writing with the Clerk on or before the close of business of the last business day before submission to the Court. The account will be filed by the Clerk of the Orphans' Court Division with the Court for adjudication and confirmation on the first Wednesday of the month following advertisement and distribution may be ordered or authorized without further notice if no objections are filed prior to that date.

Rule 2.6C. Submission of Account to the Court.

On the first Wednesday of every month, the Clerk shall submit to the Court all advertised accounts and petitions for adjudication and additional documentation, if any, to which no objection has been filed or hearing requested or required. The Court shall audit those accounts and may then confirm the accountings finally, order a hearing, or enter any adjudication, decree, order or award directing distribution as law and justice may require. The

Clerk shall also submit to the Court a list of all advertised accounts to which an objection was filed or a hearing has been requested. A conference or hearing will then be scheduled in regard to those accounts as the Court by special rule or general order may direct with notice given to all counsel of record and to such other persons as the Court may direct.

Rule 2.7A. Objections to Accounts or Petitions for Adjudication/Statements of Proposed Distribution—Order.

(a) Objections to accounts may be made at any time prior to the close of business on the first Tuesday of each month (or the first Monday of each month should the first Tuesday of each month be a holiday) to the Court by the Clerk by filing such objections in writing in the Clerk of the Orphans' Court Division.

(b) Objections to an account not filed for submission to the Court, of an account filed without a Petition for Adjudication/Statement of Proposed Distribution or ordered by the Court shall be filed within twenty (20) days from service of a copy of the account filed with the Clerk.

(c) A proposed order for the scheduling of a reply date and a status conference or hearing date shall be attached to all objections to accounts or Petitions for Adjudication/Statements of Proposed Distribution. The proposed order shall be in the following form:

(CAPTION)

ORDER

AND NOW, (month) _____, 20____, [the above-captioned matter is scheduled for a status conference on _____, 20__ at ____ a.m./p.m. in the chambers of the undersigned.] upon consideration of the foregoing objections filed in the above-captioned matter, it is hereby ORDERED that:

(1) Accountant shall file a Response to the Objections within _____ days of this Order;

and

(2) A status conference shall be held on _____, 20__ at _____ a.m./p.m. in the chambers of the undersigned.

OR

(3) A hearing is to occur on the _____, 20__ at _____ a.m./p.m. in a courtroom to be assigned in Berks County Courthouse/Services Center located at 6th and Court Streets, Reading, Pennsylvania.

Counsel are directed to meet prior to this [conference] conference/hearing to reduce fact questions and legal issues to a minimum; and, further shall be authorized to settle at said meeting and later [conference] conference/hearing.

BY THE COURT:

_____, J.

CHAPTER XIV. GUARDIANSHIPS OF INCAPACITATED PERSONS

Rule [14.2F] 14.1A. Allowances From an Incapacitated Person's Estate.

(a) In General. Petitions for allowances from an incapacitated person's estate, when necessary, shall be governed by the appropriate provisions of B.C.O.C.R. 5.6A, and as hereinafter provided.

(b) Contents of Petition. The petition shall set forth the following:

(1) the name of the guardian, the date of the guardian's appointment, if the petitioner is not the guardian, petitioner's relationship to the incapacitated person, and, if not related, the nature of the petitioner's interest;

(2) a summary of the inventory, the date it was filed and the nature and present value of the estate;

(3) the address and the occupation, if any, of the incapacitated person;

(4) the names and addresses of the incapacitated person's dependents, if any;

(5) a statement of all claims of the incapacitated person's creditors, known to the petitioner;

(6) a statement of the requested distribution and the reasons therefor; and

(7) a statement of all previous distributions allowed by the court.

(c) Restrictions Governing Allowance. If any portion of the incapacitated person's estate is received from the United States Veterans Administration or its successor, notice of the request for allowance shall be given to this agency.

Rule [14.2B] 14.3A. Evaluation.

If a petition to adjudicate an individual as an incapacitated person is filed with a request that the alleged incapacitated person be directed to submit to an evaluation of his or her capacity, the petitioner shall propose a specific expert to conduct the evaluation. No evaluator shall be proposed without first obtaining the proposed evaluator's consent to serve.

Rule [14.2A] 14.4A. Representation of alleged incapacitated person.

No petitioner or person alleged to have been acting against the best interests of the alleged incapacitated person shall attempt to obtain counsel for an alleged incapacitated person, except that a petitioner may contact an attorney who is known to the petitioner to have a previous professional relationship with the alleged incapacitated person. The Area Agency on Aging is exempt from the restriction of seeking counsel for the alleged incapacitated person to the extent such practice is required by statute or regulation. If the alleged incapacitated person or non-petitioning next of kin do not obtain counsel for the alleged incapacitated person, the court shall appoint counsel in its discretion upon receipt of the notification required by 20 Pa.C.S.A. § 5511(a).

Rule [14.2D] 14.8A. Mental Health Commitment Form.

Promptly upon appointment, a court-appointed guardian shall submit a completed Commonwealth of Pennsylvania Notification of Mental Health Commitment (Form SP 4-131) to the court.

Rule [14.2E] 14.8B. Guardian Acknowledgment.

Promptly upon appointment, a court-appointed guardian shall initial, sign and file a Guardian Acknowledgment of Duties and Liabilities form, as follows:

IN RE: : IN THE COURT OF COMMON PLEAS
an incapacitated person : OF BERKS COUNTY, PENNSYLVANIA
: ORPHANS' COURT DIVISION
: No.

GUARDIAN ACKNOWLEDGMENT OF DUTIES AND LIABILITIES

I, the undersigned court-appointed guardian, acknowledge that as guardian I have broad, but not unlimited, powers, duties, and liabilities as set forth generally in 20 Pa.C.S.A. § 5501 et seq. and more specifically acknowledge my duties and liabilities under 20 Pa.C.S.A. § 5521 and as follows:

As Guardian of the Person, I shall:

- Assert the rights and best interests of my ward.
• Respect to the greatest possible extent my ward's expressed wishes and preferences.
• Where appropriate, develop a plan of supportive services to meet my ward's needs.
• Encourage my ward to participate in all decisions which affect my ward, to act on his or her own behalf whenever he or she is able to do so, and to develop or regain, to the maximum extent possible, capacity to manage his or her personal affairs.

As Guardian of the Estate, I shall:

- Take possession of, maintain, and administer each asset of my ward, and make all reasonable expenditures and efforts to preserve the estate.
• Within three months, file an inventory of my ward's real and personal property and a statement of any property that I expect to acquire thereafter.

In addition to the above duties, as Guardian (either of the person or the estate), I shall:

- Exercise my powers for the benefit of my ward.
• Keep the ward's assets separate from my assets
• Exercise reasonable caution and prudence.

- Keep a full and accurate record of all actions, receipts, and disbursements on behalf of the ward. _____
- File an annual report on forms available in the Register of Wills/Clerk of the Orphans' Court attesting to the information required by 20 Pa.C.S.A. § 5521(c). I shall file a final report within 60 days of my ward's death or adjudication of capacity. _____
- Report any change of my address to the court within ten (10) days. _____

As Guardian of the person and/or the estate, I understand and acknowledge that any breach of my duty to my ward, such as but not limited to asset misappropriation, may result in civil and even criminal liability. _____

Date: _____

Guardian's Signature: _____

[Pa.B. Doc. No. 19-184. Filed for public inspection February 8, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

ERIE COUNTY

Adoption of Custody Hearing Officer Program; Doc. No. 90051-17

Order

And now, this 22nd day of January, 2019, it having been determined that the "Custody Hearing Officer Pilot Program" is an effective process for custody actions filed in Erie County, it is hereby *Ordered* that the interim amendments to the Erie County Local Rules of Civil Procedure set forth in the Honorable John J. Trucilla's Order of November 20th, 2017, implementing that program are made final.

This Order shall be processed in accordance with Pa.R.J.A. 103(d) and shall be effective February 22, 2019 or thirty (30) days after the date of publication in the *Pennsylvania Bulletin*, whichever occurs later.

By the Court

JOSEPH M. WALSH, III,
Judge

[Pa.B. Doc. No. 19-185. Filed for public inspection February 8, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

MONROE COUNTY

Amendment of Local Rules of Civil Procedure in Custody, Divorce and Domestic Relations; 57 AD 2019

Order

And Now, this 24th day of January, 2019, it is *Ordered* that effective immediately, the following Monroe County Rules of Civil Procedure in Custody, Divorce and Domestic Relations are rescinded in their entirety: 1910.4, 1920.3, and 1930.3.

Local Rules 1910.4 and 1930.3 are promulgated as new rules.

The aforementioned new rules shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

It Is Further Ordered that the District Court Administrator shall:

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

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

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

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

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

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

By the Court

MARGHERITA PATTI-WORTHINGTON,
President Judge

Rule 1910.4. Commencement of Action.

The Domestic Relations Section (DRS) of the Court of Common Pleas of the 43rd Judicial District, Monroe County, Pennsylvania shall be the filing office for all original complaints for support and alimony pendente lite and all subsequent filings pertaining to those actions.

The Monroe County Prothonotary shall serve as the keeper of the original records of all filings made through DRS.

Rule 1930.3. Testimony by Electronic Means.

All requests by a party or witness to participate by electronic means in a proceeding in an action in child support, spousal support or alimony pendente lite shall be made by written petition filed in the DRS.

All requests by a party or witness to participate by electronic means in a proceeding in an action in divorce, custody or paternity shall be made by written petition filed with the Monroe County Prothonotary.

[Pa.B. Doc. No. 19-186. Filed for public inspection February 8, 2019, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending January 29, 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

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
1-2-2019	Citizens Bank of Pennsylvania Philadelphia Philadelphia County Merger of Citizens Bank of Pennsylvania, Philadelphia, with and into Citizens Bank, National Association, Providence, RI.	Effective

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-17-2018	Ambler Savings Bank Ambler Montgomery County	1515 The Fairway Rydal Montgomery County	Opened
1-22-2019	Firsttrust Savings Bank Conshohocken Montgomery County	108 East Marlton Pike Cherry Hill Camden County, NJ	Opened
1-24-2019	Noah Bank Elkins Park Montgomery County	7301 Old York Road Jericho Nassau County, NY	Filed
1-24-2019	Susquehanna Community Bank West Milton Union County	2409 East Third Street Williamsport Lycoming County	Filed
1-28-2019	Orrstown Bank Shippensburg Cumberland County	920 Lititz Pike Lititz Lancaster County	Opened
1-28-2019	Noah Bank Elkins Park Montgomery County	7301 Old York Road Jericho Nassau County, NY	Withdrawn

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
01-18-2019	Firsttrust Savings Bank Conshohocken Montgomery County	600 North Route 73 Marlton Camden County, NJ	Closed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 19-187. Filed for public inspection February 8, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0265870 (Stormwater)	Rolling Frito-Lay Sales, LP (Altoona Bin) 7075 Samuel Morse Dr. Ste 240 Columbia, MD 21046	Blair County/ Antis Township	HQ	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0219258 (Sewage)	Mechling Shakley Veterans Center Inc. 1431 State Route 268 Cowansville, PA 16218	Armstrong County Sugarcreek Township	Unnamed Tributary of Patterson Creek (18-F)	Yes
PA0218715 (Sewage)	Gardas Rest STP 2033 SR 66 Ford City, PA 16226-8902	Armstrong County Manor Township	Crooked Creek (17-E)	Yes
PA0217948 (Industrial)	Highridge Water System— Sugar Run WTP 17 Maple Avenue Blairsville, PA 15717-1232	Westmoreland County Saint Clair Township	Unnamed Tributary to Conemaugh River and Unnamed Tributary of Conemaugh River (18-D)	Yes
PA0090816 (Sewage)	51 Estates MHC LLC 2138 Espey Court Suite 1 Crofton, MD 21114	Allegheny County Forward Township	UNT of UNT to Gillespie Run (19-D)	Yes
PA0217476 (Sewage)	Fox Hollow Estates STP 106 Cherry Orchard Avenue Kittanning, PA 16201-3310	Armstrong County East Franklin Township	Unnamed Tributary of Glade Run (17-E)	Yes
PA0042587 (Sewage)	MLM Enterprises STP SR 519 S Eighty Four, PA 15330	Washington County North Strabane Township	Unnamed Tributary of Little Chartiers Creek (20-F)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0272574 (Sewage)	Ashley & Jason Steighner SRSTP 121 Caldwell Drive Butler, PA 16002	Butler County Jefferson Township	Thorn Creek (20-C)	Yes
PA0240095 (Sewage)	Mahoning Township WWTP P.O. Box 99 U.S. Route 224 Hillsville, PA 16132-0099	Lawrence County Mahoning Township	Mahoning River (20-B)	Yes
PA0014427 (Industrial)	Allegheny National Fish Hatchery 6616 Hemlock Road Warren, PA 16365-8055	Warren County Glade Township	Allegheny River (16-B)	Yes
PA0220787 (Sewage)	Patrick G & V Kaye Williams SFTF 390 Osborn Road Greenville, PA 16125-3332	Mercer County Salem Township	Unnamed Tributary to Sandy Creek (16-G)	Yes
PA0221996 (Sewage)	North Brook Subdivision 107 McDonnell Lane Butler, PA 16002	Butler County Middlesex Township	Unnamed Tributary to Glade Run (20-C)	Yes
PA0035505 (Sewage)	Faith Builder Education Programs 28527 Guys Mills Road Guys Mill, PA 16327-2516	Crawford County Randolph Township	Unnamed Tributary of Woodcock Creek (16-A)	Yes

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

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

PA0026859, Sewage, SIC Code 4952, **PA American Water Co.**, 4 Wellington Boulevard, Wyomissing, PA 19610. Facility Name: Coatesville STP. This existing facility is located in South Coatesville Borough, **Chester County**.

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

The receiving stream, West Branch Brandywine Creek, 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 7 MGD.—Interim 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>	
PCBs Dry Weather Analysis (pg/L)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 7 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Toxicity, Chronic - Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Pimephales Survival (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX
Toxicity, Chronic - Pimephales Growth (TUc)	XXX	XXX	XXX	Report Daily Max	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 7 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.09	XXX	0.22
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	711	1,066	XXX	12.2	18.3	24.4
Nov 1 - Apr 30						
May 1 - Oct 31	355	533	XXX	6.1	9.2	12.2
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	964	1,446	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000*
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	Geo Mean	XXX	XXX
Total Nitrogen	876	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	193	XXX	XXX	15	XXX	6.6
Nov 1 - Apr 30				3.3	XXX	
May 1 - Oct 31	64	XXX	XXX	1.1	XXX	2.2
Total Phosphorus	95	XXX	XXX	1.62	XXX	3.24
Nov 1 - Apr 30						
May 1 - Oct 31	48	XXX	XXX	0.81	XXX	1.62
Copper, Total	0.70	XXX	XXX	0.012	XXX	0.024

*Shall not exceed in more than 10% of samples.

The proposed effluent limits for Outfall 003 are based on an average stormwater flow.—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>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

Sludge use and disposal description and location(s): Dragger Farm-North and South Farms, Lancaster County, Two B Farms, Lebanon County, and Bennetch Farm 1 and 2, Berks and Lebanon County are used for land application of sewage sludge. Lanchester Landfill also used for disposal of sewage sludge.

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

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Proper Sludge Disposal
- D. Chlorine Optimization
- E. Operator Notification
- F. Fecal Coliform Reporting
- G. Industrial Pretreatment Program
- H. Solids Management
- I. WET Condition
- J. Stormwater Outfall Requirement
- K. PCB Monitoring

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.

PA0052787, Sewage, SIC Code 4952, **Quakertown United Mennonite Church**, 180 West Thatcher Road, Quakertown, PA 18951. Facility Name: Quakertown United Mennonite Church STP. This existing facility is located in Richland Township, **Bucks County**.

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

The receiving stream(s), 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 0.00125 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 Quarterly</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	1.0 Avg Mo	XXX	2.0

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00125 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 Quarterly</i>	<i>Maximum</i>	
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50
Oct 1 - Mar 31						
Apr 1 - Sep 30	XXX	XXX	XXX	15.0	XXX	30

<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 Quarterly</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	7.5	XXX	15
Oct 1 - Mar 31						
Apr 1 - Sep 30	XXX	XXX	XXX	2.5	XXX	5
Total Phosphorus	XXX	XXX	XXX	0.5	XXX	1

Sludge use and disposal description and location(s): off-site for treatment and disposal.

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

- TRC Minimization
- Proper sludge disposal
- Annual Maintenance Report Requirements

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>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.13	XXX	0.3
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	5.2	XXX	XXX	25	XXX	50
Nov 1 - Apr 30						
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)	XXX	XXX	XXX	200	XXX	1,000
May 1—Sep 30				Geo Mean		
Oct 1—Apr 30	XXX	XXX	XXX	200	XXX	1,000
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	1.9	XXX	XXX	9.0	XXX	18
Nov 1 - Apr 30						
May 1 - Oct 31	0.6	XXX	XXX	3.0	XXX	6
Total Phosphorus	0.42	XXX	XXX	2.0	XXX	4
Nov 1 - Apr 30						
May 1 - Oct 31	0.21	XXX	XXX	1.0	XXX	2

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

- No stormwater to sanitary sewers
- Necessary property rights
- Proper sludge disposal
- Abandon STP when public sewers become available
- Chlorine minimization
- Small stream discharge
- Notification of designation of responsible operator

- Fecal coliform reporting
- 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.

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.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	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 ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

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

PA0081132, Sewage, SIC Code 8211, **Solanco School District**, 121 S Hess Street, Quarryville, PA 17566-1225. Facility Name: Solanco Swift Mid School. This existing facility is located in Fulton Township, **Lancaster County**.

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

The receiving stream(s), Conowingo Creek, is located in State Water Plan watershed 7-K 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 .01 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .01 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Instantaneous Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	25.0	40.0	50
Total Suspended Solids	Report	Report	XXX	30.0	45.0	60

<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>	
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		

Sludge use and disposal description and location(s): Sewage sludge was disposed at Lancaster Sewer Authority in Manor Township.

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.

PA0086525, Sewage, SIC Code 4952, **Centre Township Municipal Authority**, 449 Bucks Hill Road, Mohrsville, PA 19541-9340. Facility Name: Centre Township Kingsgate East STP. 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 .012 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	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	2.5	4.0	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	3.0	4.5	XXX	30.0	45.0	60
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
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		
Ammonia-Nitrogen	2.0	XXX	XXX	20.0	XXX	40
Nov 1 - Apr 30						
May 1 - Oct 31	1.8	XXX	XXX	18.0	XXX	36

The proposed effluent limits for Outfall 001 are based on a design flow of .012 MGD.—Limits.

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

Sludge use and disposal description and location(s): Sludge will be hauled off site via a local septic hauler to Exeter Township Wastewater Treatment Plant for further treatment/disposal.

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

The EPA Waiver is in effect.

PA0086525, Sewage, SIC Code 4952, **Centre Township Municipal Authority**, 449 Bucks Hill Road, Mohrsville, PA 19541-9340. Facility Name: Centre Township Kingsgate East STP. 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 .012 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	9.0	XXX
Dissolved Oxygen	XXX	XXX	Daily Min	XXX	Daily Max	XXX
			5.0		XXX	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	2.5	4.0	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD ₅)	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	3.0	4.5	XXX	30.0	45.0	60
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
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
Ammonia-Nitrogen	2.0	XXX	XXX	Geo Mean	XXX	40
Nov 1 - Apr 30				20.0		
May 1 - Oct 31	1.8	XXX	XXX	18.0	XXX	36

The proposed effluent limits for Outfall 001 are based on a design flow of .012 MGD.—Limits.

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

PA0084751, Sewage, SIC Code 7033, **Doubling Gap Center Inc.**, 1550 Doubling Gap Road, Newville, PA 17241-9757. Facility Name: Doubling Gap Convention Center. This existing facility is located in Lower Mifflin Township, **Cumberland County**.

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

The receiving stream(s), Unnamed Tributary to Doubling Gap Creek, is located in State Water Plan watershed 7-B and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .025 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .025 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	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0 DailyMax	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	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
Ultraviolet light transmittance (%)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	9.0	XXX	18.0
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Total Phosphorus	XXX	XXX	XXX	1.0	XXX	2.0

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.

PA0080861, Sewage, SIC Code 4952, **Walmar MHC LLC**, 524 Meadow Avenue Loop, Banner Elk, NC 28604-9443. Facility Name: Walmar Manor MHP. This existing facility is located in Franklin Township, **York County**.

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

The receiving stream(s), North Branch Bermudian Creek, is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0375 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	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.27	XXX	0.89
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	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)	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
Nitrate-Nitrite as N	XXX	XXX	XXX	Geo Mean 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	10.5	XXX	21.0
Nov 1 - Apr 30						
May 1 - Oct 31	Report	XXX	XXX	3.5	XXX	7.0
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	2.0	XXX	4.0

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

The EPA Waiver is in effect.

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

PA0255505, Storm Water, SIC Code 1311, **Markwest Liberty Midstream & Resources LLC**, 4600 J Barry Court, Suite 500, Canonsburg, PA 15317-5854. Facility Name: Welling Compressor Station. This proposed facility is located in Buffalo Township, **Washington County**.

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

The receiving stream(s), Unnamed Tributary to Wolf Run, is located in State Water Plan watershed 20-E and is classified for High Quality Waters—Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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

The EPA Waiver is in effect.

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

PA0271926, Sewage, SIC Code 8800, **Julaine Field**, 18317 Irish Road, Edinboro, PA 16412. Facility Name: Julaine Field SRSTP. This proposed facility is located in Cussewago 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, an Unnamed Tributary to the Cussewago Creek, is located in State Water Plan watershed 16-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 0.0004 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

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

The EPA Waiver is in effect.

PA0104108-A1, Sewage, SIC Code 4952, **North Beaver Township Municipal Authority**, 861 Mount Jackson Road, New Castle, PA 16102-2415. Facility Name: Hickory View Terrace WWTP. This existing facility is located in North Beaver Township, **Lawrence County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit to hydraulically re-rate an existing discharge of treated domestic sewage.

The receiving stream, Hickory Run, is located in State Water Plan watershed 20-B and is classified for trout stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.223 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			4.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	0.5	XXX	1.6
			XXX			
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	23.5	37.5	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅)	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent Report						
Total Suspended Solids	Report	XXX	XXX	Report	XXX	XXX
Raw Sewage Influent						
Total Suspended Solids	28.1	42.2	XXX	30	45	60
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
Ammonia-Nitrogen	19	XXX	XXX	Geo Mean	10.5	21
Nov 1 - Apr 30						
May 1 - Oct 31	6.4	XXX	XXX	3.5	XXX	7
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Avg Qrtly	XXX	XXX
				Report		
				Avg Qrtly		

Sludge use and disposal description and location: Aerobic digestion followed by disposal at another sewage treatment plant.

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

- Chlorine Minimization
- Sludge Handling

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

The EPA Waiver is in effect.

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

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

WQM Permit No. 0611402, Amen # 1, Sewerage, **City of Reading**, 815 Washington Street, Reading, PA 19601.

This proposed facility is located in Reading City, **Berks County**.

Description of Proposed Action/Activity: Seeking permit approval for the installation of a new 42-inch ductile iron force main that will replace an existing force main located between the 6th and Canal Street pump station and the WWTP located on the South side of Angelica Creek. The new 42-inch line will parallel a second 42-inch force main that was installed in 2012.

WQM Permit No. 2819401, Sewerage, **Greene Twp Municipal Authority**, 4182 Sunset Pike, Chambersburg, PA 17202.

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

Description of Proposed Action/Activity: Seeking permit approval for the replacement of aging and/or undersized pipelines to allow for proper conveyance with minimal I & I.

WQM Permit No. 3619401, Sewerage, **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603.

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

Description of Size and Scope of Proposed Operation/Activity: Seeking permit approval for the pump station improvements at the LASA's existing Meadows Edge Pump Station and the rerouting of the Salunga Pump Station force main discharge location to redirect flow from the Landisville Pump Station to the Meadows Edge station. The Meadows Edge pumps will be upsized to 335 gpm to accommodate the increased flow.

WQM Permit No. 2119401, Sewerage, **Silver Spring Township Authority**, 5 Willow Mill Park Road, Suite 3, Mechanicsburg, PA 17050.

This proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Size and Scope of Proposed Operation/Activity: Seeking permit approval for the construction/operation of the Spring Meadow Reserve pumping station.

WQM Permit No. 2819201, CAFO, **Junk-Inn Farms, LLC**, 14492 Path Valley Road, P.O. Box 229, Willow Hill, PA 17271.

The proposed facility is located in Metal Township, **Franklin County**.

Description of Size and Scope of Proposed Operation/Activity: Seeking permit approval for the construction of a new swine finishing barn at a new site, separate from the existing facilities associated with this CAFO.

WQM Permit No. 1819201, CAFO, **Schrack Farms Partnership**, 860 West Valley Road, Logantown, PA 17747-8935.

The proposed facility is located in Logan Township, **Clinton County**.

Description of Size and Scope of Proposed Operation/Activity: Seeking permit approval for the construction of a 116 foot deep manure storage structure at existing CAFO.

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

WQM Permit No. 1119400, Sewage, **City of Johnstown**, 401 Main Street, Johnstown, PA 15901.

This proposed facility is located in the City of Johnstown, **Cambria County**.

Description of Proposed Action/Activity: Proposed construction of replacement and rehabilitation of the existing Fairfield Avenue Sanitary Sewers located in the Morrellville Area of the City of Johnstown. Treatment to be provided at the existing Johnstown—Dornick Point STP.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a potential funding source.

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

WQM Permit No. 1607402 A-1, Sewage, **Redbank Valley Municipal Authority**, 243 Broad Street, New Bethlehem, PA 16242-1001.

This existing facility is located in New Bethlehem Borough, **Clarion County**.

Description of Proposed Action/Activity: Removal of existing comminutor and installation of fine screen at Grant Street pump station.

WQM Permit No. 2519404, Sewage, **Donald Kienholz**, 8089 Edinboro Road, Erie, PA 16509-4466.

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

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

WQM Permit No. WQG02101901, Sewage, **Cranberry Township Butler County**, 2525 Rochester Road, Cranberry Township, PA 16066-6420.

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

Description of Proposed Action/Activity: Gravity sewer extension to serve Meeder Farms Development.

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

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

PAI130021, MS4, **Marple Township Delaware County**, 227 S Sproul Road, Broomall, PA 19008-2309. 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 Marple Township, **Delaware County**. The receiving stream(s), Darby Creek, Crum Creek, Langford Run, Hotland Run, Unnamed Tributary to Crum Creek, Whetstone Run, and Trout Run, are located in State Water Plan watershed 3-G and are classified for Migratory Fishes, Warm Water 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 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.

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

PAI133547, MS4, **Warwick Lititz Joint Client**, 315 Clay Road, Lititz, PA 17543-9019. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in **Lancaster County**. The receiving stream(s), Cocalico Creek, Unnamed Tributary to Santo Domingo Creek, Santo Domingo Creek, Hammer Creek, Unnamed Tributary to Cocalico Creek, Hubers Run, New Haven Run, Bachman Run, Unnamed Tributary to Hammer Creek, Lititz Run, Unnamed Tributary to Lititz Run, and Unnamed Tributary to Bachman Run, are located in State Water Plan watershed 7-J and are classified for Migratory Fishes, Warm Water 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(s) with the application to reduce pollutant loads to impaired waters:

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

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

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

PAI133546, MS4, **Maidencreek Township Berks County**, 1 Quarry Road, Blandon, PA 19510. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Maidencreek Township, **Berks County**. The receiving stream(s), Unnamed Tributary to Willow Creek, Maiden Creek, and Willow Creek, are located in State Water Plan watershed 3-B and are classified for Migratory Fishes, Cold Water Fishes, and Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

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

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

PAI136129, MS4, **North Strabane Township**, 1929 Route 519, Canonsburg, PA 15317-5128. 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 North Strabane Township, **Washington County**. The receiving streams, Unnamed Tributaries to Chartiers Creek and Chartiers Creek, are located in State Water Plan watershed 20-F and are classified for High Quality—Warm Water Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150084	Artisan Construction Group, LLC 110 Phoenixville Pike Malvern, PA 19355	Chester	East Whiteland Township	Unnamed Tributary to Valley Creek EV

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

Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390106	Sustainable Energy Fund 4110 Independence Dr Shnecksville, PA 18078	Lehigh	N Whitehall Twp	Coplay Creek (CWF, MF)

Schuylkill Conservation District, 1206 AG Center Drive, Pottsville, PA 17901-9733.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD540012	Heisler Egg Farm Inc Todd Heisler 757 Valley Rd Tamaqua, PA 18252	Schuylkill	Walker Twp	Beaver Creek (HQ-CWF, MF) UNT to Beaver Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD670031	Providence Community, Inc. P.O. Box 135 Hanover, PA 17331	York	Heidelberg Township	Codorus Creek (HQ-CWF)
PAD210028	US Army Carlisle Barracks Garrison 330 Engineer Avenue Carlisle, PA 17013	Cumberland	North Middletown & Middlesex Townships Carlisle Borough	LeTort Spring Run (HQ-CWF)
PAD060024	JLM Real Estate, LLC 950 East Main Street P.O. Box 472 Schuylkill Haven, PA 17972	Berks	Richmond Township	Moselem Creek (HQ-CW, MF)

Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.

Individual Permit Type—PAD.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD680005	Attention: Patrick M. Webb Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800	Elk County	Jay Township	Cherry Run (HQ), Unnamed Tributary to Cherry Run (CWF), Cherry Run (CWF)

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

PAG-12	CAFOs
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CAFO Notices of Intent Received.

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

NPDES Permit No. PAG122214, CAFO, **Kilitis Family Farm LLC**, 22 Kiliti Road, Berwick, PA 18603.

This proposed facility is located in Salem Township, **Luzerne County**.

Description of size and scope of proposed operation/activity: Poultry (Ducks), Beef (Finishing): 106.23 AEUs.

The receiving stream, Unnamed Tributary to Walker Run, is in watershed 5-D and classified for: Cold Water Fishes and Migratory Fishes.

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

NPDES Permit No. PAG123881, CAFO, **Matthew Nolt**, 131 Krumstown Road, Myerstown, PA 17067.

This proposed facility is located in Millcreek Township, **Lebanon County**.

Description of size and scope of proposed operation/activity: Poultry (Broilers): 348.36 AEUs.

The receiving stream, Unnamed Tributary to Tulpehocken Creek, is in watershed 3-C and classified for: Migratory Fishes and Trout Stocking.

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

NPDES Permit No. PA0260550, CAFO, **Galen L Nolt**, 222 Little Britain Church Road, Peach Bottom, PA 17563-9620.

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

Description of size and scope of existing operation/activity: Dairy (Cows, Heifers, Calves), Swine (Grow—Finish): 930.8 AEUs.

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

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

NPDES Permit No. PAG126105, CAFO, **Hillcrest Saylor Dairy Farms LLC**, 947 Hatch Hollow Road, Rockwood, PA 15557-7802.

This proposed facility is located in Middlecreek Township, **Somerset County**.

Description of size and scope of proposed operation/activity: Dairy (Cows, Heifers, Calves), Alpacas: 1,443.95 AEUs.

The receiving stream, Middle Creek, is in watershed 19-F and classified for: Trout Stocking.

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

NPDES Permit No. PAG124867, CAFO, **Tim Landis**, 2607 Klingerstown Road, Herndon, PA 17830.

This proposed facility is located in Jordan Township, **Northumberland County**.

Description of size and scope of proposed operation/activity: Swine (Grow—Finish), Beef (Steer): 559.53 AEUs.

The receiving stream, Unnamed Tributary to Snow Creek, is in watershed 6-C and classified for: Migratory Fishes and Warm Water Fishes.

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

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>
Eric Newswanger 107 Awol Road Jonestown, PA 17038	Lebanon	36.0	600.53	Beef Broiler	WWF	N
Darrell Henry 5177 Hill Climb Rd Spring Grove, PA 17362	York	52.9	321.51	Swine	None	New

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

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

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

SAFE DRINKING WATER

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

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

Permit No. 0919501, Public Water Supply.
 Applicant **Warminster Municipal Authority**
 415 Gibson Avenue
 Warminster, PA 18974
 Township Warminster
 County **Bucks**
 Responsible Official Timothy D. Hagey
 415 Gibson Avenue
 Warminster, PA 18974
 Type of Facility PWS
 Consulting Engineer Charles Corey, P.E.
 CKS Engineers
 88 South Main Street
 Doylestown, PA 18901
 Application Received Date January 11, 2019
 Description of Action Modify PFAS treatment systems at Wells 10, 13 and 2 to utilize ion exchange treatment.

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

Permit No. 3619501, Public Water Supply.
 Applicant **Faith Outreach Center**
 Municipality East Donegal Township
 County **Lancaster**
 Responsible Official Andy Hoover, Senior Pastor
 475 Anderson Ferry Road
 Mount Joy, PA 17552
 Type of Facility Public Water Supply
 Consulting Engineer Charles A. Kehew II, P.E.
 James R. Holley & Associates, Inc.
 18 South George Street
 York, PA 17401
 Application Received: 1/9/2019

Description of Action Installation of sodium hypochlorite disinfection system and contact tanks to provide GWR 4-log treatment of viruses.

Permit No. 0619502, Public Water Supply.

Applicant **Reading Area Water Authority**
 Municipality Reading
 County **Berks**
 Responsible Official Kim Mazur, Operations Manager
 1801 Kutztown Road
 Reading, PA 19604
 Type of Facility Public Water Supply
 Consulting Engineer Thomas L. Weld Jr, P.E.
 BCM Engineers
 920 Germantown Pike
 Plymouth, PA 19462
 Application Received: 1/15/2019
 Description of Action Replacement of the chemical feed system in the 18th Ward Booster Station and modifications to the existing stand-by generator.

Permit No. 2819501, Public Water Supply.

Applicant **Waynesboro Borough Authority**
 Municipality Quincy Township
 County **Franklin**
 Responsible Official S. Leiter Pryor, Director of
 Borough Utilities
 57 East Main Street
 Waynesboro, PA 17268
 Type of Facility Public Water Supply
 Consulting Engineer Matthew J. Carnish, P.E.
 Gannett Fleming Inc
 P.O. Box 6700
 Harrisburg, PA 17106-7100
 Application Received: 1/15/2019
 Description of Action Upgrades to pumping facilities, chemical facilities, filtration facilities, electrical and SCADA systems, and wastewater residual facilities at the existing EP 101 water treatment plant.

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

Permit No. 0399501-MA1, Public Water Supply.

Applicant **Dayton Water Municipal Authority**
 Township or Borough Wayne Township
 County **Armstrong**
 Responsible Official James Marshall
 Type of Facility Public Water Supply
 Consulting Engineer Matt Coleman
 Uni-Tech Consulting Engineers
 2007 Cato Avenue
 State College, PA 16801
 Application Received Date January 23, 2019

Description of Action Water System Improvements consisting of green sand filters, feed pumps, tanks, agitators and appurtenances.

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. 0419503MA, Minor Amendment.

Applicant **Beaver Falls Municipal Authority**
 1425 Eighth Avenue
 Beaver Falls, PA 15010
 [Township or Borough] West Mayfield Borough
 Responsible Official James Riggio, Manager
 Beaver Falls Municipal Authority
 1425 Eighth Avenue
 Beaver Falls, PA 15010
 Type of Facility Water system
 Consulting Engineer Entech Engineering
 400 Rouser Road
 Building # 2
 Suite 200
 Coraopolis, PA 15108
 Application Received Date January 28, 2019
 Description of Action Painting and rehabilitation of the West Mayfield 37th Street water storage tank.

Application No. 5619503MA, Minor Amendment.

Applicant **Municipal Authority of the Borough of Berlin**
 700 North Street
 Berlin, PA 15530
 [Township or Borough] Berlin Borough
 Responsible Official Brett Custer, Secretary
 Municipal Authority of the Borough of Berlin
 700 North Street
 Berlin, PA 15530
 Type of Facility Water system
 Consulting Engineer Appalachian Engineering Group, LLC
 P.O. Box 162
 Meyersdale, PA 15552
 Application Received Date January 24, 2019
 Description of Action Installation of approximately 625 feet of 6-inch diameter waterline along Cumberland Street.

WATER ALLOCATIONS

Applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth (484) 250-5980.

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

WA-46-1005, Water Allocations. Telford Borough Authority, 122 Penn Avenue, Telford, PA 18969, Telford Borough, **Montgomery County**. Request for a subsidiary water allocation permit for an interconnection used on a pass-through means for North Penn Water Authority to provide water to its Sellersville Area.

WA-09-43D, Water Allocations. Bucks County Water Sewer Authority, 1275 Almshouse Road, Warrington, PA 18976, Warrington Township, **Bucks County**. Renewal of subsidiary water allocation permit for the right to continue to purchase 3.0 MGD from Lower Bucks County Joint Municipal Authority.

Biosolids Individual Permits (PABIG and PABIS).

The following parties have applied for either an Individual Site Permit (PABIS) or an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (DEP) proposes to issue a permit to land apply biosolids subject to certain requirements set forth in the permit.

Persons wishing to comment on the proposed permit are invited to submit a statement to the responsible DEP Regional Office noted above the application within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address, and telephone number of the writer and a concise statement of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 30-day comment period, the Water Management Regional Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, comments received, and other information are on file and may be inspected and arrangements made for copying at the Pennsylvania Department of Environmental Protection, Clean Water Program, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4707.

Persons with a disability that require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1-800-654-5984.

PABIG 3501. Smith's Disposal Facility LLC, Adams County, Straban Township, Smith's Sanitary Septic Services, LLC, 1234 Baltimore Street, Hanover, PA 17331 has applied to renew an existing permit for beneficial use of biosolids (residential septage) by land application.

Special Conditions

The total combined capacity of the residential septage treatment and storage tanks shall not exceed 1,250,000 gallons. Additional requirements for testing of residential septage prior to land application, calculating agronomic loading rates, routine tank inspections, mitigating malodors, and the prevention of spills and leaks.

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:

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

Boerger Residence, 1076 Beaver Lake Drive, Paupack Township, **Wayne County**. Bluestone Environmental, 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of Ron and Roberta Boerger, 79 Earl Street, Westbury, NY 11590 submitted a Notice of Intent to Remediate. Soil was contaminated with # 2 fuel oil from an underground storage tank. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The News Eagle* on January 23, 2019.

REGISTRATION FOR RESIDUAL WASTE GENERAL PERMITS

Registration 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.

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

General Permit Application No. WMGR123SW033. Chevron Appalachia, LLC, 700 Cherrington Parkway, Coraopolis, PA 15108. A registration for coverage under General Permit WMGR123 for the processing and beneficial use of oil and gas liquid waste at the Herminie North Centralized Water Facility to be located in Sewickley Township, **Westmoreland County** was received by the Regional Office on January 17, 2019.

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.

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.

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

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

10-281P: II-VI Incorporated (375 Saxonburg Blvd., Saxonburg, PA 16056), The Department of Environmental Protection intends to issue a plan approval to II-VI Incorporated for the installation and initial operation of an additional chemical vapor deposition furnace at their existing facility in Clinton Township, **Butler County**. This is an existing non-Title V facility. Public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44.

This process will deposit zinc selenide upon graphite parts in a heated furnace. The furnace will contain vaporized zinc gas and heated parts. Hydrogen selenide or hydrogen sulfide gas will then be added to the furnace to complete the deposition process. Unused reactants and particulates are removed from the furnace’s exhaust stream by three control devices: a cartridge dust collector, scrubber, and an activated carbon adsorption bed.

Installation and operation of the proposed source will not alter the facility's non-TV status.

The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Emissions from the proposed source are estimated to be: less than 0.01 ton per year (tpy) of particulate matter and less than 0.001 tpy of Hazardous Air Pollution.

In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding this application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling the DEP at (814) 332-6940.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will be had for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [10-281P: II-VI Incorporated] 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. 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. Written comments or requests for a public hearing should be directed to Eric A. Gustafson, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6819.

43-290D: NLMK—Sharon Coating, LLC (277 Sharpville Ave., Sharon, PA 16146) for operational changes and an increase in facilitywide CO emission limit at their facility in the City of Sharon, **Mercer County**.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 43-290D to NLMK—Sharon Coating, LLC for operational changes and an increase in facilitywide CO emission limit at their facility located at 277 Sharpville Ave., City of Sharon, Mercer County. The Plan Approval will subsequently be incorporated into the facility's State Only Operating Permit in accordance with 25 Pa. Code § 127.402.

Plan Approval No. 43-290D is for various proposed operation changes at the facility, to include the deactivation of an existing natural gas fired furnace (Source ID 101), changes to frequency of required recordkeeping for two (2) existing natural gas fired furnaces (Source ID's 102 and 104), an increase in facilitywide carbon monoxide (CO) emissions limits from 45 to 76 tons per year, and a proposed sitewide natural gas throughput limit of 1,776 MMCF/yr, for all combustion sources at the site. No

additional sources are proposed under the subject plan approval. Based on the information provided by the applicant and DEP's own analysis, the facility will have the potential to emit 94.3 tons of nitrogen oxides (NO_x), 75.8 tons of carbon monoxide (CO), 4.9 tons of volatile organic compounds (VOCs), 7.1 tons of particulate matter, and 0.9 ton of sulfur oxides (SO_x) per year. The Plan Approval will contain recordkeeping and work practice requirements 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 are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown below. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the address shown below. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 43-290D and concise statements regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335, 814-332-6940.

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.

46-00048: Wyeth Pharmaceuticals (500 Arcola Road, Collegeville, PA 19426) for renewal of the Title V Operating Permit for its corporate, subsidiary, and regional management offices in Upper Providence Township, **Montgomery County**. Wyeth Pharmaceuticals is a major facility for nitrogen oxide (NO_x) emissions. The facility is comprised of five (5) dual-fired boilers and nine (9) diesel-fired emergency electric generators. There have been no changes to any of the existing sources at the facility. There have been no new sources added. The renewal does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The permit will include monitoring, record keeping, and reporting requirements designed to address all applicable air quality requirements.

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

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

04-00033: NOVA Chemical Inc. Beaver Valley Plant (400 Frankfort Road, Monaca, PA 15061) Notice is hereby given in accordance with 25 Pa. Code § 127.521 that the Department of Environmental Protection (“Department”) intends to modify Air Quality Title V Operating Permit: TV-04-00033 for NOVA Chemicals, Inc. (“NOVA”), Beaver Valley Plant, located at 400 Frankfort Road, Potter Township, **Beaver County**, directly off State Route 18 in Monaca, PA.

The proposed 25 Pa. Code § 127.541 significant operating permit modification to the Title V Operating Permit includes revisions to the 40 CFR Part 64 Compliance Assurance Monitoring (CAM) Plan language that was incorporated into the TV-04-00033 permit special conditions. The modification to the CAM plan language in the permit will not result in any change to the emission limits of the permit or increase emissions from the plant.

This action is subject to State regulations including 25 Pa. Code Chapter 127—Construction, Modification, Reactivation, and Operation of Sources and Compliance Assurance Monitoring Plan.

A person may oppose the proposed modification by filing a written protest with the Department through Sheri Guerrieri via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to shguerrier@pa.gov; or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Title V Operating Permit (TV-04-00033) and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

NOVA’s Title V Operating Permit modification application, the Department’s Air Quality Review Memorandum, and the modified Title V Operating Permit are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the NOVA’s modification application, to receive an electronic copy of the Department’s Air Quality Review Memorandum, or to receive an electronic copy of the Department’s proposed Air Quality Operating Permit for this modification, a person may contact Sheri Guerrieri at shguerrier@pa.gov or 412.442.4069.

All comments must be received prior to the close of business 30 days after the date of this publication. Permits issued to sources identified in § 127.44(b)(1)–(4) or permits issued to sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may become a part of the SIP and will be submitted to the EPA for review and approval.

A public hearing may be held if requested to accept oral comments on the proposed operating permit modification. If a hearing is held it will be conducted at the DEP Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Sheri L. Guerrieri, P.E. at 412.442.4069.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held,

will be posted online at <https://www.dep.pa.gov/About/Regional/SouthwestRegion/Pages/default.aspx>.

Contact Sheri Guerrieri at 412.442.4069 or monitor the previously listed web site to determine if a hearing will be held.

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

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

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

09-00142: Bank of America National Association (35 Runway Drive, Levittown, PA 19057-4700), for a non-Title V, State-Only, Synthetic Minor Operating Permit in Bristol Township, **Bucks County**. This action is for the renewal of the State-Only Operating Permit. The permit was initially issued on 1-23-2003 to Quest Communications Corporation and was subsequently renewed on 3-20-2008 and renewed again on 3-6-2014 to ML 35 LLC. The primary emission sources include six (6) 2.0-MW diesel fuel-fired emergency generator engines and five (5) 2.25-MW diesel fuel-fired emergency generator engines to provide backup electrical power at its facility. The renewed permit will include monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

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

48-00049: FedCehm, LLC (275 Keystone Drive, Bethlehem, PA 18020-9464) The Department intends to issue a State-Only (Natural Minor) Operating Permit renewal for operation of sources at an industrial organic chemicals manufacturing facility in Lower Nazareth Township, **Northampton County**. The sources include four reactors controlled by four condensers, and one emergency generator. Insignificant sources include three reactors, heaters, two boilers, and storage tanks. The proposed permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

67-05118: Harley-Davidson Motor Company Operations, Inc. (1425 Eden Road, York, PA 17402) for the significant modification of the State-Only Operating Permit for the facility located in Springettsbury Township, **York County**. This modification will allow for compliance with touch-up coating VOC restrictions by way of an equivalency calculation pursuant to 25 Pa. Code § 129.51(a). DEP’s review of the information submitted by the company indicates that the affected air contamination sources can comply with relevant regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and 25 Pa. Code § 129.52d. Based on

this finding, DEP proposes to issue a permit modification for the proposed equivalency provisions.

22-05047: Johnson Controls, Inc. (100 Cumberland Valley Avenue, Waynesboro, PA 17268) for operation of their commercial refrigeration and air conditioning equipment facility in Waynesboro Borough, **Franklin County**. This is a renewal of the State-only air quality operating permit. The 2017 facility emissions were 1.0 ton of CO, 1.2 ton of NO_x, 0.04 ton of PM₁₀, 6.3 tons of VOC, and 4.6 tons of total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR 60, Subpart Dc-Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and 40 CFR Part 63 Subpart ZZZZ-National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

22-03002: Philadelphia Macaroni Co. (523 South 17th Street, Harrisburg, PA 17104) to issue a State-Only Operating Permit for the pasta and noodle manufacturing facility in Harrisburg City, **Dauphin County**. This is a renewal of the State-only air quality operating permit. The subject facility has the potential-to-emit 12.3 tpy of NO_x, 10.1 tpy of CO, 0.4 tpy of SO_x, 7.9 tpy of PM, 7.6 tpy of VOC and 6.0 tpy of HAP. 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 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and 40 CFR Part 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

06-03078: Materion Brush, Inc. (100 Shoemakersville Road, P.O. Box 973, Reading, PA 19603) to issue a State Only Operating Permit for the copper alloy finishing operations located in Perry Township, **Berks County**. This is a renewal of the State-only air quality operating permit. In 2017 the actual emissions from the facility were estimated at 0.1 ton beryllium, 3.6 tons copper, 1.1 ton nickel, and 0.11 ton sulfuric acid mist. 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 63 Subpart ZZZZ and 25 Pa. Code § 129.63.

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

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

49-00050: McPherson Greenhouses (103 Greenhouse Road, Northumberland, PA 17857) to issue a renewal State Only Operating Permit for their Northumberland Greenhouse facility located in Point Township, **Northumberland County**. The facility's main sources include a coal fired boiler and a natural gas fired boiler.

The facility has potential emissions of 8.75 tons per year of nitrogen oxides, 1.74 ton per year of carbon monoxide, 31.44 tons per year of sulfur oxides, 8.62 tons per year of particulate matter, 0.24 ton per year of volatile organic compounds, and 0.20 ton per year of total hazardous air pollutants (HAPs). Except slight increase

in carbon monoxide emissions, the potential emissions of all other criteria pollutants decreased at the facility due to removal of one coal fired boiler. No emission or other equipment changes are being proposed by this action.

The emission limits and work practice standards 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 Title 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60, 63 and 98.

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.

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

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

61-00191: WS Packaging Group, Inc., (1642 Debence Drive, Franklin, PA 16323-2050), the Department intends to issue the renewal of the Synthetic Minor State-Only Operating Permit to a facility which performs flexible package printing using lithographic printing presses to produce labels and packaging products. This facility located in Sandycreek Township, **Venango County**. The primary sources at the facility are the plant heating system, lithographic presses, miscellaneous fugitive emissions and degreaser units. The facility has taken a site limit of 49.5 tons per year (tpy) for VOC emissions. Actual emissions for other criteria pollutants are estimated as follows: CO, 0.15 tpy; NO_x, 0.18 tpy, PM₁₀, 0.133 tpy; SO_x, 0.01 tpy; and HAPs, 0.80 tpy. The permit contains emission restrictions, along with testing, monitoring, recordkeeping, reporting, work practice and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

62-00176: Lignetics of New England (1055 Matthews Run Rd, P.O. Box 193, Youngsville, PA 16371). The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for the wooden pellet manufacturing facility located in Brokenstraw Township, **Warren County**. The facility's primary emission sources include the rotary dryer with a multi-cyclone, dry sawdust truck dumping controlled by a baghouse, green sawdust truck dumping, the metering bin, a hammermill, screening, (3) pellet mills, (3) storage silos, (2) 140,000 btu/hr wood pellet boilers, a 50,000 btu/hr wood pellet boiler, and a parts washer. The potential emissions of the primary pollutants from the facility after permit limitations are as follows: 30.71 TPY (tons per year) NO_x, 58.87 TPY CO, 20.35 TPY VOC, 65.82 TPY PM₁₀, 65.23 TPY PM_{2.5}, and 10.04 TPY SO_x; thus, the facility is a natural minor. The rotary dryer and multiclone are currently operating under plan approval 62-176B. The parts washer is subject to 25 Pa. Code § 129.63 for degreasing operations. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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.

30733707 and NPDES No. PA0092894. Consol Mining Company LLC, (CNX 1000 Energy Drive, Canonsburg, PA 15317-6506). To renew the permit for the Robena Refuse Disposal Area in Monongahela and Greene Townships, **Greene County** to and related NPDES permit. No additional discharges. The application was considered administratively complete on January 18, 2019. Application received June 12, 2018.

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

Permit No. 56120116 and NPDES No. PA0269174. LCT Energy, LP, 938 Mount Airy Drive, Suite 200, Johnstown, PA 15904, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Stonycreek Township, **Somerset County** affecting 127.3 acres. Receiving stream: unnamed tributaries to Boone Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 18, 2019.

Permit No. 56663069 and NPDES No. PA0120944. Heritage Coal & Natural Resources, LLC, 550 Beagle Road, Rockwood, PA 15557, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Elk Lick & Summit Townships, **Somerset County** affecting 3,040 acres. Receiving streams: unnamed tributary to/and Casselman River and unnamed tributary to/and Elk Lick Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 22, 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.

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

03010407 and NPDES Permit No. PA0250040. Stitt Coal Company, Inc. (811 Garretts Run Road, Ford City, PA 16226). Revision application for permit boundary reconfiguration to an existing bituminous surface mine, located in Kittanning Township, **Armstrong County**, affecting 301.3 acres. Receiving streams: Garretts Run and unnamed tributaries, classified for the following use: WWF. Application received: January 22, 2019.

02030301. Redlands Quarries, NY (6211 Ann Arbor Road, Dundee, MI 48131). Application received for transfer of permit currently issued to LaFarge North America, Inc. for continued operation and restoration of large noncoal surface mine, located in West Mifflin Borough, **Allegheny County**, affecting 112.5 acres. Receiving streams: Thompson Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: December 12, 2018.

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

25130303. Raymond D. Showman & Sons, Inc. (12851 Route 86, Edinboro, PA 16412). Revision to a large industrial mineral mine to add 6.1 acres to the surface mine permit, which includes mining through 0.42 acre of wetland in Le Boeuf Township, **Erie County** affecting 156.1 acres. As mitigation for the proposed wetland impacts, 0.42 acre of emergent wetlands will be constructed. Receiving streams: Unnamed tributaries to French Creek and French Creek, classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: January 7, 2019.

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

4773SM2 and NPDES PA0596680. Hanson Aggregates Pennsylvania LLC (7660 Imperial Way, Allentown, PA 18195). Renewal for an existing NPDES on a large noncoal surface mining site located in Potter Township, **Centre County** affecting 18.0 acres. Receiving stream(s): Unnamed Tributary to Cedar Run classified for the following use(s): CWF, MF. Application received: December 26, 2018.

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

03010407 and NPDES Permit No. PA0250040. Stitt Coal Company, Inc. (811 Garretts Run Road, Ford City, PA 16226). Revision application for permit boundary reconfiguration to an existing bituminous surface mine, located in Kittanning Township, **Armstrong County**, affecting 301.3 acres. Receiving streams: Garrets Run and unnamed tributaries, classified for the following use: WWF. Application received: January 22, 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

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

NPDES No. PA0006874 (Mining Permit No. 32841321), Consol Mining Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317-6505). A renewal to the NPDES and mining activity permit for the O'Donnell No. 3 Mine in Washington Township, **Indiana County** and Plumcreek Township, **Armstrong County**. Receiving stream: Unnamed Tributary to South Branch Plum Creek, classified for the following use: CWF. Crooked Creek Watershed TMDL. The application was considered administratively complete on June 9, 2016. Application received January 26, 2016.

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

Outfall 001 discharges to: Unnamed Tributary to South Branch of Plum Creek.

The proposed effluent limits for *Outfall 001* (Lat: 40° 43' 47" Long: -79° 15' 34") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	0.043
Iron	(mg/l)	-	1.51	3.02	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.03	2.06	2.58
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	-	-	Report

EPA waiver is not in effect.

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

NPDES No. PA0279633 (Mining Permit No. 56190101), Heritage Coal & Natural Resources, LLC, 550 Beagle Road, Rockwood, PA 15557, new NPDES permit for discharge of water resulting from surface coal mining activities in Brothersvalley Township, **Somerset County**, affecting 36.1 acres. Receiving streams: unnamed tributaries to Blue Lick Creek, classified for the following use: cold water fishes. This receiving stream is included in the Casselman River TMDL. Application received: January 16, 2019.

The following outfalls discharge to unnamed tributaries to Blue Lick Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (Treatment Pond 1)	Y
002 (Treatment Pond 2)	Y
003 (Sediment Pond 1)	Y
004 (Sediment Pond 2)	Y

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

<i>Outfalls: 001 & 002 (All Weather Conditions)</i> <i>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)	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.

<i>Outfalls: 003 & 004 (Dry Weather)</i> <i>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
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.

<i>Outfalls: 003 & 004 (<10-yr 24-hr Precip. Event)</i> <i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5

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

Outfalls: 003 & 004 (>10-yr/24-hr Precip. Event)

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

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

NPDES No. PA0259594 (Permit No. 16140109). K & A Mining (119 Atwell Lane, Kennerdell, PA 16374) Revision to an existing NPDES permit for a bituminous surface mine in Washington Township, **Clarion County**, affecting 70.0 acres. Receiving streams: Unnamed tributaries to East Sandy Creek, classified for the following uses: CWF. TMDL: None. Application received: January 4, 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 coal mining activities. The following outfalls discharge to unnamed tributaries to East Sandy Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TP1	N
TP2	N
TP3	N
TP4	N
TP5	Y

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				50.0

¹ The parameter is applicable at all times.

The following outfalls discharge to unnamed tributaries to East Sandy Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
SP1	N
SP2	N
SP3	N
SP4	Y

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)				50.0

¹ The parameter is applicable at all times.

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

NPDES No. PA0256811 (Mining Permit No. 17080107), Junior Coal Contracting, Inc., 2330 Six Mile Road, Philipsburg, PA 16866, renewal of an NPDES permit for bituminous coal surface mining in Decatur Township, **Clearfield County** affecting 204.8 acres. Receiving stream(s): Moshannon Creek, classified for the following use(s): CWF. Moshannon Creek is subject to the Moshannon Creek Watershed TMDL. Application received: March 9, 2018.

This proposed mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code § 87.201, effluent limits for those discharges will be based upon existing baseline pollution load or the standards found at 25 Pa. Code § 87.102(a) Group A, whichever is least stringent.

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

The following outfalls discharge to Moshannon Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001	N	Treatment Facility 1
002	N	Treatment Facility 2
003	N	Treatment Facility 3
004	N	Treatment Facility 4
005	N	Sediment Pond A
006	N	Sediment Pond B
007	N	Sediment Pond C
008	N	Sediment Pond D
009	N	Sediment Pond E

NPDES No. PA0243337 (Mining Permit No. 17020112), Junior Coal Contracting, Inc., 2330 Six Mile Road, Philipsburg, PA 16866, renewal of an NPDES permit for bituminous coal surface mining in Decatur Township, **Clearfield County** affecting 215.0 acres. Receiving stream(s): Shimel Run, Big Run, and UNT A to Moshannon Creek classified for the following use(s): CWF. Moshannon Creek TMDL. Application received: December 12, 2018.

This proposed mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code § 87.201, effluent limits for those discharges will be based upon existing baseline pollution load or the standards found at 25 Pa. Code § 87.102(a) Group A, whichever is least stringent.

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

The following outfalls discharge to Shimel Run and UNT A to Moshannon Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
009	N
010	N
011	N
013	N
014	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

The following outfall discharges to Big Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
012	N

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

Parameter	Minimum	30-Day Average	Daily Maximum	Instant. Maximum
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		1.3	2.6	3.2
Aluminum (mg/l)		0.75	0.75	0.75
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

¹ The parameter is applicable at all times.

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

NPDES Permit No. PA0012360 on Surface Mining Permit No. 54733020. BET Associates IV, LLC (BDT), (1233 E. Broad Street, Tamaqua, PA 18252), revised NPDES Permit for an anthracite coal surface mine, coal refuse reprocessing, and refuse disposal operation in Tamaqua, Coaldale, Lansford, Summit Hill, and Nesquehoning Boroughs, **Schuylkill and Carbon Counties**, encompassing 7,594.4 acres. Receiving streams: Panther Creek and Little Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: February 24, 2015.

Effluent Limitations, Monitoring and TMDL Waste Load Allocation Requirements

Section A: Mine Drainage Treatment Facilities

Outfall	Source	Latitude	Longitude	Status
001	No. 10 Shaft	40° 48' 54"	75° 56' 58"	Inactive
003	Arlington Borehole	40° 48' 16"	75° 57' 01"	Inactive
004	No. 14 Shaft	40° 48' 18"	75° 57' 03"	Proposed
005	Rt. 309 Discharge	40° 48' 38.8"	75° 58' 00"	Active

Based on the hydrologic data, anticipated wastewater characteristics and anticipated wastewater flows described in the permit application and its supporting documents and/or revisions, the following effluent limitations and monitoring requirements apply to the previously listed outfall numbers.

Permitted Discharge Limits

Discharge Parameter	Average Monthly	Max. Daily	Inst. Maximum	Maximum Combined Avg. Allowable Mass Loading (TMDL WLA)**
Total Iron	1.50	3.50	4.50	180.1 lbs./day
Total Manganese	1.00	2.00	2.50	168.0 lbs./day
Total Aluminum	0.75	1.50	2.00	90.1 lbs./day
Total Susp. Solids Flow	35.00	70.00	90.00	4,203.4 lbs./day

Measure and Report Daily

pH not less than 6.0 standard units nor greater than 10.0 standard units at all times.***

Alkalinity must exceed acidity at all times.

Never Exceed Concentration Limits.****

Discharge Parameter	Average Monthly	Max. Daily	Inst. Maximum
Total Iron	3.00	6.00	7.00
Total Manganese	2.00	4.00	5.00
Total Aluminum	0.75	1.50	2.00
Total Susp. Solids	35.00	70.00	90.00

pH not less than 6.0 standard units nor greater than 10.0 standard units at all times.***

Alkalinity must exceed acidity at all times.

*Unless otherwise indicated, discharge limitations are concentrations and expressed in mg/l and the total (dissolved and suspended fraction) is applicable for each parameter.

**Maximum Combined Average Allowable Mass Loading is the aggregate of the mass loading(s) of listed pollutant parameters that can be discharged from Outfalls 005, 004 when constructed and operating and Outfalls 001 & 003 if activated. This Waste Load Allocation is determined and expressed in both the Panther Creek and Little Schuylkill River TMDLs.

*** Mine Drainage Treatment pH limits per Authorization of PA DEP Pottsville District Mining Office, Dated July 17, 2014 for Outfall 005 and May 29, 2018 for Outfalls 001, 003 and 004. (See 25 Pa. Code § 88.92 (c)(1)(ii)).

****Subject to 25 Pa. Code §§ 88.92 and 88.93 (Surface Mine) and 88.187 and 88.188 (Bank Removal and existing permit limits for Aluminum and pH).

Grab Sampling Frequency 2/Month Minimum. This is the minimum number of sampling events required. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events required. Samples taken in compliance with the monitoring specified above shall be taken during a discharge at the following location(s): Outfalls 001, 003, 004, 005.

The following table illustrates the Compliance Monitoring Program and outlines in detail the steps to be followed to determine compliance with the EPA approved Panther Creek/Little Schuylkill River TMDL Waste Load Allocations (Combined Maximum Average Allowable Mass Loading) should sampling show an excursion above the Permitted Concentration Limits at any Mine Drainage Treatment NPDES Outfall but is below the Never Exceed Concentration Limits. This program does not apply to outfalls operating under Interim Discharge Limits. Please refer to notes 1 through 9 for pertinent explanations and conditions.

Compliance Monitoring (1) for Mine Drainage Treatment Outfalls (001, 003, 004, 005) Discharging to Panther Creek and Little Schuylkill River												
Discharge Parameter	PERMITTED DISCHARGE (2) CONCENTRATION LIMITS (mg/l unless otherwise noted)			TMDL (4) COMBINED WASTE LOAD ALLOC.	TMDL COMPLIANCE MONITORING PROCESS IF PERMITTEE EXCEEDS A DISCHARGE CONCENTRATION LIMIT AT MINE DRAINAGE TREATMENT OUTFALLS						MINIMUM MONITORING REQ.	
	Average Monthly (3)	Max. Daily	Inst. Max.	Max. Combined Average (5) Allowable Mass Loading (lbs./day)	Step 1: An Excursion Exceeding the Permitted Discharge Conc. Limit Occurs	Step 2: BET Notifies DEP of an Excursion Within 10 Days of Receipt of Lab Results or SMC I Notifies BET of DEP Sampling Showing Excursion	Step 3: BET Provides DEP with the Combined Average Mass Loading for the Parameter Exceeding the Discharge Conc. Limit	Step 4: If the Combined Average Mass Loading for the Three Month Period Is Less Than the Maximum Combined Average Mass Loading (lbs./day): No Violation	Step 5: If the Combined Average Mass Loading for the Three Month Period Exceeds the Permitted Combined Maximum Allowable Mass Loading (lbs./day): Action: Notice of Violation ("NOV") Issued	Step 6: If NOV Sampling Shows the Combined Average Mass Loading Exceeds the Permitted Combined Maximum Average Allowable Mass Loading (lbs./day): Compliance Order Issued (7)	Meas. Freq.	Sample Type
Total Fe	1.50	3.50	4.50	180.1	Greater Than the Never Exceed Conc. Limits Results in an Immediate Compliance Order	Action: Compliance Notice Issued (Inspection Report)	For the Two Previous Months and the Present Month from All MDT Outfalls	No Violation	Compliance Order Issued (7)	Compliance Order Issued (7)	2/Month	Grab
Total Mn	1.00	2.00	2.50	168.0							2/Month	Grab
Total Al	0.75	1.50	2.00	90.1							2/Month	Grab
Total Suspended Solids	35.00	70.00	90.00	4,203.4							2/Month	Grab
Flow	Measure and Report (GPM and MGD) (3)									1/Day	Measured	
pH	6.0—10.0 Standard Units (8)									2/Month	Grab	
Net Alkalinity	Alkalinity Must Exceed Acidity at All Times.									2/Month	Grab	
Never Exceed Concentration Limits												
Never Exceed Limits Correlate with 25 Pa. Code § 88.92, Group A, and existing permit limits for Aluminum and pH.												
Discharge Parameter				Average Monthly			Maximum Daily			Inst. Maximum		
Total Fe (mg/l)				3.00			6.00			7.00		
Total Mn (mg/l)				2.00			4.00			5.00		
Total Al (mg/l)				0.75			1.50			2.00		
Total Suspended Solids (mg/l)				35.00			70.00			90.00		
6.0—10.0 Standard Units (8)												
Alkalinity Must Exceed Acidity at All Times.												

Compliance Monitoring Program Notes:

- BET must provide a written request for the Compliance Monitoring Process if a discharge from a Mine Drainage Treatment Outfall shows a concentration greater than the Permitted Discharge Concentration Limits but less than the Never Exceed Concentration Limits at any Mine Drainage Treatment Outfall unless that outfall is operating under the Interim Discharge Limitations.
- BET shall show that at all times there has been proper operation and maintenance of all treatment facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit to be eligible for the Compliance Monitoring Process. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit. BET's request and compliance with the Permit Limits will then be evaluated at the Department's discretion.
- BET must notify the Department when Permitted Discharge Limits have been exceeded or flow exceeds 10,000 GPM and adjustments to Mine Drainage Treatment are necessary to remain under the TMDL Combined Average Mass Loading during extended periods of high flows and to show they have been duly diligent in their operation of treatment facilities.
- The Panther Creek and Little Schuylkill River TMDLs have been revised and accepted by the U.S. Environmental Protection Agency ("EPA") which include a combined Waste Load Allocation for BET Associates IV, LLC Outfalls 001, 003, 004, and 005 (also known as the "Mine Drainage Treatment Outfalls").
- The "Average Mass Loading" is the monthly average of the calculated mass loading from each Mine Drainage Treatment Outfall. The "Combined Average Mass Loading" is defined as the sum of Average Mass Loading(s) of all Mine Drainage Treatment Outfalls.
- The NOV Period Sampling is defined as the sampling for the month after a Notice of Violation is issued by the Department, in addition to the three-month sampling evaluated by the Department for Steps 3 to 5.
- BET may request a compliance monitoring review period of up to six months if BET demonstrates that multiple or above average precipitation events have occurred, or that hydro-geological or water chemistry induced conditions have changed at the site, and that these events or changes have in turn created above average flows or conditions that result in an excursion above the Average Monthly Concentration Limit, and/or the EPA approved average daily TMDL Waste Load Allocation for the current reporting period. If BET requests such a review, they shall provide supporting data for the request, which at a minimum shall include the following: complete treatment facility operational and maintenance records, mass loading records, weather records, and an explanation of why this excursion is beyond the control of BET, within 30 days of the excursion. BET's request and compliance will then be evaluated at the Department's discretion.
- Mine Drainage Treatment pH limits per Authorization of PA DEP Pottsville District Mining Office, Dated July 17, 2014 for Outfall 005 and May 29, 2018 for Outfalls 001, 003, and 004. (See 25 Pa. Code § 88.92 (c)(1)(ii)).
- Interim Discharge Concentration Limits apply to discharges from the proposed No. 14 Shaft Acid Mine Drainage Treatment Facility (Outfall 004) and to Outfalls 001 or 003 should they be activated and begin discharging to Panther Creek. These limits apply for the first 18 months after the end of construction and each new treatment system outfall becomes operational. This is in accordance with 2nd BET CO&A (5.i.) dated May 5, 2011 and all amendments thereto. Continuous or extended operation of the No. 14 Shaft Acid Mine Drainage Treatment Facility prior to the end of the Interim Discharge Limit Period at total flows less than 8,000 GPM (operations as described in the BET Mine Pool Management Plan) will require compliance with the Permitted Discharge Limits as shown Section A above and will allow eligibility to the Compliance Monitoring Program.

<i>Discharge Parameter*</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>	<i>Measurement Frequency**</i>
Total Iron	3.00	6.00	7.00	2/Month
Total Manganese	2.00	4.00	5.00	2/Month
Total Aluminum	2.00	4.00	5.00	2/Month
Total Suspended Solids	35.00	70.00	90.00	2/Month

Flow Measure and Report Daily
pH not less than 6.0 standard units nor greater than 10.0 standard units at all times.***
Alkalinity must exceed acidity at all times.

*Unless otherwise indicated, discharge limitations are concentrations and expressed in mg/l and the total (dissolved and suspended fraction) is applicable for each parameter.

**This is the minimum number of sampling events required. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events required.

*** Mine Drainage Treatment pH limits per Authorization of PA DEP Pottsville District Mining Office, Dated July 17, 2014 for Outfall 005 and May 29, 2018 for Outfalls 001, 003, and 004. (See 25 Pa. Code § 88.92 (c)(1)(ii)).

Subject to 25 Pa. Code §§ 88.92 and 88.93 (Surface Mine) and 88.187 and 88.188 (Bank Removal).

Section B: Erosion and Sedimentation Control Facilities

<i>Outfall</i>	<i>Source</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Status</i>
002	E&S Pond No. 10	40° 48' 18"	75° 57' 02.6"	Proposed
006	E&S Pond No. 7	40° 48' 17.8"	75° 57' 02"	Proposed

Based on the hydrologic data and anticipated characteristics and flows described in the permit application and its supporting documents and/or revisions, the following effluent limitations and monitoring requirements apply to the previously listed outfall numbers.

Group A: Dry Weather Discharge Limitations

<i>Discharge Parameter*</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>	<i>Measurement Frequency**</i>
Total Iron	3.00	6.00	7.00	2/Month
Total Manganese	2.00	4.00	5.00	2/Month
Total Aluminum		Monitor And Report		2/Month
Total Susp. Solids	35.00	70.00	90.00	2/Month

pH not less than 6.0 standard units nor greater than 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

Group B: Greater than 1yr-24hr to Less than 10yr-24hr storm

<i>Discharge Parameter*</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>	<i>Measurement Frequency**</i>
Total Iron	N/A	N/A	7.00	2/Month
Total Settleable Solids	N/A	N/A	0.50ml/l	2/Month

pH not less than 6.0 standard units nor greater than 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

Group C: Greater than 10yr-24hr storm

pH not less than 6.0 standard units nor greater than 9.0 standard units at all times.
Alkalinity must exceed acidity at all times.

*Unless otherwise indicated, discharge limitations are concentrations and expressed in mg/l and the total (dissolved and suspended fraction) is applicable for each parameter.

**This is the minimum number of sampling events required. Permittees are encouraged, and it may be advantageous in demonstrating compliance, to perform more than the minimum number of sampling events required.

Samples taken in compliance with the monitoring specified above shall be taken during a discharge at the following locations(s): Outfalls 002, 006. Subject to 25 Pa. Code §§ 88.92 and 88.93 (Surface Mine) and 88.187 and 88.188 (Bank Removal).

Note: The above discharge limitations and monitoring requirements are based upon the presumption that the erosion and sedimentation control facilities will only discharge as a result of a "precipitation event." If the discharge occurs during "dry weather flow" conditions, then Group A limitations will apply (as defined in 25 Pa. Code Chapters 86—90). The above discharge limitations (Group B and Group C) and monitoring requirements pertain to discharges which may occur unexpectedly, (i.e., were not originally anticipated when this permit was issued). The Department reserves the right to modify these limitations based upon the need to protect water quality in the receiving stream.

Noncoal NPDES Draft Permits

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

NPDES No. PA0612383 (Mining Permit No. 6875SM3), Glenn O. Hawbaker, Inc., 1952 Waddle Road, Suite 203, State College, PA 16803, renewal of an NPDES permit for limestone quarry in Armagh Township, **Mifflin County**, affecting 114.7 acres. Receiving stream: unnamed tributary to Honey Creek, classified for the following use: high quality cold water fishes. Application received: January 14, 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 unnamed tributary to Honey Creek:

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Temperature (°C)			Report
Specific Conductance (µmohs/cm)			Report
Flow (gpm)			Report

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

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

NPDES No. PA0250406 (Permit No. 03020402), Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201. Renewal NPDES permit for noncoal surface mine in West Franklin Township, **Armstrong County**, affecting 160.8 acres. Receiving streams: Unnamed Tributary to Buffalo Creek and Buffalo Creek, classified for the following use: HQ-TSF. Application received: October 22, 2018.

The following stormwater outfall discharges to Buffalo Creek:

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
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.

The following stormwater outfall discharges to Unnamed Tributary to Buffalo Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	N	SW

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
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.

The following treated wastewater outfall discharges to Unnamed Tributary to Buffalo Creek:

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
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.

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

NPDES Permit No. PA0594369 on Surface Mining Permit No. 7973SM3. Naceville Materials, (350 S. Main Street, Suite 207, Doylestown, PA 18901), renewal of an NPDES Permit for an argillite quarry operation in Wrightstown Township, **Bucks County**, affecting 60.0 acres. Receiving stream: unnamed tributary to Mill Creek, classified for the following use: warm water fishes. Application received: November 29, 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 Mill Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Other

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>
Total Suspended Solids Flow (MGD)		35.0	70.0	90.0
pH ¹ (S.U.): Must be between 6.0 and 9.0 at all times.		1.0		
Alkalinity must exceed acidity at all times.				

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.

E39022-564. Black Creek Group (a.k.a. IPT Acquisitions, LLC), 301 Route 17 North, Suite 206, Rutherford, NJ 07070, in South Whitehall Township, Upper Macungie Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Crackersport and Eck Road Warehouses and Roadway Improvement project.

- To permanently impact 0.07 acre of wetland (PSS) for the construction of an access road crossing (wetland A).
- To permanently impact 0.01 acre of wetland (PSS) for the construction of an access road (wetland C).
- To place fill in a 0.04 acre pond (HQ-CWF, MF) for the purpose of constructing a parking lot (pond 4).
- To fill 0.8 acre of a UNT to Little Cedar Creek (HQ-CWF, MF) and to construct a stream enclosure of the UNT consisting of approximately 640-feet of 18-inch diameter HDPE pipe depressed 6-inches below the existing streambed elevation with a concrete headwall and rip rap apron for the purpose of constructing a parking lot and access road (stream 4).
- To permanently impact 0.01 acre of floodway of a UNT to Little Cedar Creek (HQ-CWF, MF) for the purpose of constructing a vegetated outfall channel (stream 3).
- To re-align a watercourse and construct an access road crossing of a UNT to Little Cedar Creek (HQ-CWF, MF) consisting of one 65-foot long 36-inch diameter pipes depressed 6-inches below the existing streambed elevation with concrete headwalls and rip rap apron (stream 2).
- To construct an 18-inch HDPE stormwater line crossing of a UNT to Little Cedar Creek (HQ-CWF, MF) (stream 2).
- To construct a 4-inch DIP and 8-inch DIP water line crossing of a UNT to Little Cedar Creek (HQ-CWF, MF) (stream 2).

9. To place 0.01 acre of fill within the floodway of a UNT to Little Cedar Creek (HQ-CWF, MF) for the purpose of widening Eck Road and to extend a roadway crossing consisting of approximately 53 linear feet of 18-inch RCP pipe with a manhole, concrete headwall and rip rap apron (stream 2).

10. To permanently impact 0.03 acre of floodway of a UNT to Little Cedar Creek (HQ-CWF, MF) for the purpose of constructing an outfall structure consisting of four 14-inch x 23-inch elliptical RCP pipes, two 15-inch RCP pipes, two concrete headwalls/energy dissipators and pertinent grading (stream 1).

11. To place 0.01 acre of fill in a pond (HQ-CWF, MF) for the purpose of constructing an access road crossing (pond 1).

12. To place 0.34 acre of fill within the floodway of a UNT to Little Cedar Creek (HQ-CWF, MF) for the purpose of constructing an access road (stream 1).

The project is located at the intersection of Crackersport Road and Eck Road. (Allentown West, PA Quadrangle, Latitude: 40° 36' 3"; Longitude: -75° 34' 33").

E6402219-001. Erik Knowles, 2331 Overlook Drive, Bethlehem, PA 18017, in Lehigh Township, **Wayne County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a T-shaped dock with the dimensions of 4-feet by 15-feet and 8-feet long by 16-feet in Lake Watawga (EV, MF) and to fill a de minimus area of EV PSS wetland equal to 0.01 acre for a gravel walkway pertinent to the dock that's approximately 169 square feet. The project is located at 43 Watawga Way West Road. (Tobyhanna, PA Quadrangle, Latitude: 41° 14' 15"; Longitude: -75° 26' 6").

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E36-978: Conewago Industrial Park Association, P.O. Box 332, Lemoyne, PA 17043 in West Donegal Township, **Lancaster County**, U.S. Army Corps of Engineers Baltimore District.

To place and maintain fill in the floodway of a UNT to Conewago Creek (TSF, MF) and palustrine emergent (PEM) wetlands, permanently impacting 0.05 acre of the floodway of a UNT to Conewago Creek (TSF, MF) and 0.072 acre of PEM wetlands, for the purpose of constructing a 7,500-square-foot building and associated parking. The project is located along Industrial Drive (Middletown, PA Quadrangle, Latitude: 40.163051, Longitude: -76.651629) in West Donegal Township, Lancaster County. To compensate for the wetland impacts, the applicant proposes to create 0.073 acre of wetlands onsite.

E22-652: Susquehanna Township Authority, 1900 Linglestown Road, Harrisburg, PA 17110 in Susquehanna Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To install and maintain an 8.0-inch diameter PVC sanitary sewer line across 1.) Slotznick Run and it's floodway impacting 30 feet of stream (Latitude: 40° 16' 12.92"; Longitude: -76° 49' 33.53"); 2.) Slotznick Run and it's floodway impacting 30 feet of stream (Latitude: 40° 16' 8.55"; Longitude: -76° 49' 26.38"); 3.) an exceptional value, palustrine emergent wetland, impacting 0.10 acre of wetland (Latitude: 40° 16' 18.70"; Longitude: -76° 49' 38.96"); 4.) an exceptional value, palustrine emergent wetland, impacting 0.04 acre of wetland (Latitude: 40° 16'

16.72"; Longitude: -76° 49' 37.41"); 5.) an exceptional value, palustrine emergent wetland, impacting 0.02 acre of wetland (Latitude: 40° 16' 10.31"; Longitude: -76° 49' 37.38"); 6.) an exceptional value, palustrine emergent wetland, impacting 0.04 acre of wetland (Latitude: 40° 16' 11.18"; Longitude: -76° 49' 35.73"); 7.) an exceptional value, palustrine emergent wetland, impacting 0.02 acre of wetland (Latitude: 40° 16' 13.11"; Longitude: -76° 49' 33.33"); and 8.) an exceptional value, palustrine emergent wetland, impacting 0.08 acre of wetland (Latitude: 40° 16' 8.04"; Longitude: -76° 49' 26.90") all for the purpose of providing service to neighborhoods in the far southeast corner of the township. No wetland loss is proposed, and replacement is not required.

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

E02051-1805, PennDOT District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Upper St. Clair Township, **Allegheny County**; Pittsburgh ACOE District.

The applicant proposes to:

1. Remove the existing 27.5' wide two-lane reinforced concrete T-beam bridge with a minimum underclearance of 6.9' carrying SR 3034 (Lesnett Road) over McLaughlin Run (WWF) having a drainage area of 5.50 square miles; construct and maintain a replacement 90' long concrete arch culvert with a minimum underclearance of 8.7' in the same location.

2. Remove the existing 29.8' wide two-lane reinforced concrete slab bridge with a minimum underclearance of 2.1' carrying SR 3034 (McMillan Road) over an unnamed tributary to McLaughlin Run (WWF) having a drainage area of 0.53 square mile; construct and maintain a replacement 39' long 14' by 4.5' precast concrete box culvert depressed 1' below streambed elevation in the same location.

3. Construct and maintain a 20' extension to the existing 98.3' long 72" reinforced concrete pipe carrying SR 3004 (McLaughlin Run Road) over the same unnamed tributary to McLaughlin Run having a drainage area of 0.52 square mile for a total enclosure length of 118.3'.

4. In addition, construct and maintain roadway associated stormwater facilities and temporarily impact 495' of stream for the purpose of constructing these encroachments.

5. Permanent stream impacts will be mitigated through the purchase of mitigation credits from the Enlow Fork Mitigation Bank (DEP File No. MB990563-0001).

The project is a reconfiguration of the intersection of SR 3034 and SR 3004 (Bridgeville, PA USGS topographic quadrangle; N: 40°, 20', 42.5"; W: -80°, 4', 55.3"; Sub-basin 20F; USACE Pittsburgh District), in Upper St. Clair Township, Allegheny County.

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

E0306119-001, PADOT, Engineering District 10-0, 2550 Oakland Ave., Indiana, PA 15701. SR 2066-152-0030-2024, in Parks Township, **Armstrong County**, ACOE Pittsburgh District (Vandergrift, PA Quadrangle N: 40°, 37', 09"; W: 79°, 32', 44").

To remove the existing structure and to construct and maintain a 73-ft, 5 9/16-in long concrete box culvert having a 16.0-ft wide by 8.0-ft high (7.0-ft effective with

baffles) waterway opening along UNT Carnahan Run (WWF), known locally as Stitts Run, on S.R. 2066, Section 152, Segment 0030, Offset 2024. The project is located approximately 200-ft south of the intersection of SR 2066 and SR 2058 (Stitts Run Road).

The project also proposes to construct and maintain the placement of approximately 150-ft of fill along the right descending bank of UNT Carnahan Run to shift SR 2066 slightly to the south to improve public safety in the area of the crossing. The proposed culvert and fill will result in a total of 249-ft of permanent impacts and 382-ft of temporary stream impacts to UNT Carnahan Run. The project will also realign an adjacent stream channel to accommodate the proposed box culvert, resulting in 60-ft of permanent stream impacts and 88-ft of temporary stream impacts to UNT Carnahan Run. No wetland impacts are proposed.

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

E5829-141: Harford and Gibson Townships, Williams Field Services Company, LLC; 400 IST Center, Suite 404, Horseheads, NY, 14845; Harford and Gibson Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 9,016 square feet (0.21 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 42", Longitude: -75° 40' 16"),

2) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,937 square feet (0.04 acre) of a palustrine emergent wetland (PEM) and 853 square feet (0.01 acre) of palustrine forested wetland (PFO) (Harford, PA Quadrangle; Latitude: 41° 45' 41", Longitude: -75° 40' 14"),

3) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 53 lineal feet of an unnamed tributary to Butler Creek (CWF, MF) (Harford, PA Quadrangle; Latitude: 41° 45' 41", Longitude: -75° 40' 13"),

4) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 12,509 square feet (0.29 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 41", Longitude: -75° 40' 12"),

5) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,099 square feet (0.03 acre) of palustrine forested wetland (PFO) (Harford, PA Quadrangle; Latitude: 41° 45' 42", Longitude: -75° 39' 54"),

6) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 59 lineal feet of Butler Creek (CWF, MF) (Harford, PA Quadrangle; Latitude: 41° 45' 42", Longitude: -75° 39' 52"),

7) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 53 lineal feet of Butler Creek (CWF, MF) (Harford, PA Quadrangle; Latitude: 41° 45' 42", Longitude: -75° 39' 51"),

8) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting

56 lineal feet of Butler Creek (CWF, MF) (Harford, PA Quadrangle; Latitude: 41° 45' 42", Longitude: -75° 39' 49"),

9) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 51 lineal feet of Butler Creek (CWF, MF) (Harford, PA Quadrangle; Latitude: 41° 45' 42", Longitude: -75° 39' 49"),

10) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 3,668 square feet (0.08 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 42", Longitude: -75° 39' 51"),

11) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,929 square feet (0.14 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 34", Longitude: -75° 39' 10"),

12) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,803 square feet (0.04 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 33", Longitude: -75° 39' 05"),

13) a temporary timber mat crossing impacting 2,065 square feet (0.05 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 31", Longitude: -75° 38' 54"),

14) a temporary timber mat crossing impacting 832 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 30", Longitude: -75° 38' 52"),

15) a temporary timber mat crossing impacting 14 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 30", Longitude: -75° 38' 51"),

16) a temporary timber mat crossing impacting 2 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 28", Longitude: -75° 38' 50"),

17) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 4,217 square feet (0.10 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 25", Longitude: -75° 38' 51"),

18) a 10-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,125 square feet (0.05 acre) of a palustrine emergent wetland (PEM) (Harford, PA Quadrangle; Latitude: 41° 45' 21", Longitude: -75° 38' 57").

The natural gas gathering pipeline project consists of constructing approximately 1.6 mile of 10-inch steel natural gas pipeline located in Harford and Gibson Townships, Susquehanna County. The project will result in 272 lineal feet of stream impacts, 44,117 square feet (1.01 acre) of palustrine emergent wetland, and 1,952 square feet (0.04 acre) of palustrine forested wetland impacts to provide safe reliable conveyance of Marcellus Shale natural gas to market.

E4129-084 Regency Marcellus Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, McNett Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. an 8-inch diameter natural gas line and a temporary timber mat bridge impacting 2,087 square feet of a Palustrine Emergent Wetland (EV) (Grover, PA Quadrangle, Latitude: 41° 33' 09", Longitude: -76° 48' 18");

The project will result in 0.05 acre of new wetland impacts all for the purpose of installing natural gas gathering line, and access roadway to a natural gas well site for Marcellus well development. This project is a major modification to the original permit, E4129-084 and associated with E0829-088 and E5729-072, originally posted to the *Pennsylvania Bulletin* on February 8, 2014.

E5829-142: Bridgewater Township, Williams Field Services Company, LLC; 400 IST Center, Suite 404, Horseheads, NY 14845; Bridgewater Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary timber mat crossing impacting 115 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 50' 39", Longitude: -75° 49' 06"),

2) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,162 square feet (0.05 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 50' 43", Longitude: -75° 49' 05"),

3) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 7,055 square feet (0.16 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 50' 45", Longitude: -75° 49' 05"),

4) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,666 square feet (0.13 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 50' 48", Longitude: -75° 49' 04"),

5) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 277 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 50' 50", Longitude: -75° 49' 04"),

6) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 79 lineal feet of a tributary to Snake Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 50' 49", Longitude: -75° 49' 04"),

7) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 6,037 square feet (0.14 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 50' 51", Longitude: -75° 49' 03"),

8) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 75 lineal feet of a tributary to Snake Creek (CWF, MF) (Montrose East, PA Quadrangle; Latitude: 41° 50' 52", Longitude: -75° 49' 04"),

9) a temporary timber mat crossing impacting 845 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 50' 57", Longitude: -75° 49' 00"),

10) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,626 square feet (0.13 acre) of a palustrine emergent

wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 50' 57", Longitude: -75° 48' 54"),

11) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 963 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 51' 18", Longitude: -75° 49' 03"),

12) a temporary timber mat crossing impacting 280 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 51' 20", Longitude: -75° 49' 14"),

13) a temporary timber mat crossing impacting 205 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 51' 21", Longitude: -75° 49' 16"),

14) a 16-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 5,333 square feet (0.12 acre) of a palustrine emergent wetland (PEM) (Montrose East, PA Quadrangle; Latitude: 41° 51' 22", Longitude: -75° 49' 18").

The natural gas gathering pipeline project consists of constructing approximately 1.8 miles of 16-inch steel natural gas pipeline located in Bridgewater Township, Susquehanna County. The project will result in 154 lineal feet of stream impacts and 34,564 square feet (0.79 acre) of palustrine emergent (PEM) wetlands to provide safe reliable conveyance of Marcellus Shale natural gas to market.

E5829-143: Lathrop and Springville Townships, Williams Field Services Company, LLC; 400 IST Center, Suite 404, Horseheads, NY 14845; Lathrop and Springville Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary timber mat crossing impacting 402 square feet (0.01 acre) of a palustrine scrub-shrub wetland (PSS) (Hop Bottom, PA Quadrangle; Latitude: 41° 41' 57", Longitude: -75° 51' 12"),

2) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 3,125 square feet (0.07 acre) of a palustrine scrub-shrub wetland (PSS) (Hop Bottom, PA Quadrangle; Latitude: 41° 41' 58", Longitude: -75° 51' 13"),

3) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 2,928 square feet (0.07 acre) of a palustrine emergent wetland (PEM) and 163 square feet (0.01 acre) of palustrine scrub-shrub wetland (PSS) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 02", Longitude: -75° 51' 17"),

4) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 66 lineal feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 02", Longitude: -75° 51' 17"),

5) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 53 lineal feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 03", Longitude: -75° 51' 17"),

6) a temporary timber mat crossing impacting 289 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 06", Longitude: -75° 51' 15"),

7) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 19,235 square feet (0.44 acre) of a palustrine forested wetland (PFO) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 12", Longitude: -75° 51' 18"),

8) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 6,337 square feet (0.15 acre) of a palustrine emergent wetland (PEM) and 590 square feet (0.01 acre) of palustrine forested wetland (PFO) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 16", Longitude: -75° 51' 16"),

9) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 58 lineal feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 12", Longitude: -75° 51' 18"),

10) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 60 lineal feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 16", Longitude: -75° 51' 16"),

11) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 59 lineal feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 16", Longitude: -75° 51' 16"),

12) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 941 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 19", Longitude: -75° 51' 16"),

13) a temporary timber mat bridge crossing impacting 64 lineal feet of an unnamed tributary to Meshoppen Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 19", Longitude: -75° 51' 16"),

14) a temporary timber mat crossing impacting 61 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 21", Longitude: -75° 51' 06"),

15) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 275 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 14", Longitude: -75° 50' 46"),

16) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 14,114 square feet (0.32 acre) of a palustrine emergent wetland (PEM) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 13", Longitude: -75° 50' 44"),

17) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,783 square feet (0.04 acre) of a palustrine emergent wetland (PEM) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 12", Longitude: -75° 50' 39"),

18) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,646 square feet (0.04 acre) of a palustrine emergent wetland (PEM) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 12", Longitude: -75° 50' 37"),

19) a temporary timber mat crossing impacting 33 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 11", Longitude: -75° 50' 29"),

20) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 1,259 square feet (0.03 acre) of a palustrine emergent

wetland (PEM) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 50' 27"),

21) a temporary timber mat bridge crossing impacting 13 lineal feet of an unnamed tributary to Horton Creek (CWF, MF) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 50' 27"),

22) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 647 square feet (0.02 acre) of a palustrine emergent wetland (PEM) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 09", Longitude: -75° 50' 26"),

23) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat crossing impacting 22 square feet (0.01 acre) of a palustrine emergent wetland (PEM) (Hop Bottom, PA Quadrangle; Latitude: 41° 42' 01", Longitude: -75° 49' 58").

The natural gas gathering pipeline project consists of constructing approximately 2.4 miles of 12-inch steel natural gas pipeline located in Lathrop and Springville Townships, Susquehanna County. The project will result in 373 lineal feet of stream impacts, 30,335 square feet (0.70 acre) of palustrine emergent (PEM) wetlands, 3,690 square feet (0.08 acre) of palustrine scrub-shrub (PSS) wetlands, and 19,825 square feet (0.46 acre) of palustrine forested (PFO) wetlands to provide safe reliable conveyance of Marcellus Shale natural gas to market.

ENVIRONMENTAL ASSESSMENT

Cambria District: Contact Person: Patrick M. Webb, 286 Industrial Park Road, Ebensburg, PA 15931-4119.

EA1609-005. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Paint Township, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to backfill two Dangerous Highwalls that total 2,550 linear feet in length and average 25 feet high. It is proposed to drain four hazardous waterbodies that originate from an abandoned coal surface mine seep. The hazardous water bodies are 0.8 acre, 0.1 acre, 0.2 acre and 0.1 acre. The acidic coal mine seep fed hazardous waterbodies will be drained and relocated through an underdrain extension drainage system. Once the underdrain system is constructed, the on-site adjacent acidic coal mine spoil materials will then be regraded to backfill the drained abandoned hazardous surface mine areas and dangerous highwalls. There are no associated wetlands on site due to the acidic coal mine spoils and steep to vertical topography. No wetland mitigation is proposed and none is required. (Clarion Quadrangle 41° 12' 47" N, 79° 26' 06" W).

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.

D06-434EA. Roger Adams, P.E., Director, Bureau of Waterways Engineering and Wetlands, Pennsylvania Department of Environmental Protection, P.O. Box 8460, Harrisburg, PA 17105, Tilden and Windsor Townships, **Berks County**, USACOE Philadelphia District.

Project proposes to remove the New Kernsville Dam to eliminate a threat to public safety and to restore approximately 5,200 feet of stream channel to a free-flowing condition. The project is located across the Schuylkill River (WWF, MF) (Auburn, PA Quadrangle, Latitude: 40.5732; Longitude: -76.0021).

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT
FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

I. NPDES Renewal Permit Actions.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed)</i>	<i>EPA Waived Y/N?</i>
PA0053899 (Industrial)	Wheelbriar Falls, Inc. 1201 New Ford Mill Road Morrisville, PA 19067	Bucks County Falls Township	Unnamed Tributary to Biles Creek 2-E	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0259969 CAFO	Silver Crest Acres 1147 Silver Spring Road Holtwood, PA 17532-9741	Drumore Township Lancaster County	Watershed(s) 7-K Unnamed Tributary to Fishing Creek	N
PA0261939 SEW	Sprout Residence 790 Oliver Street Newport, PA 17074-8901	Oliver Township Perry County	Unnamed Tributary to Juniata River in Watershed(s) 12-B	Y
PA0266752 SEW	Sargen Residence 471 Shady Dell Road York, PA 17403	Spring Garden Township York County	Unnamed Tributary to Codorus Creek in Watershed(s) 7-H	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0000558 (Industrial)	Gateway Center Two Gateway Center Pittsburgh, PA 15222-1425	Allegheny County Pittsburgh City	Allegheny River (18-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0101052 (Industrial)	Union City Borough WTP 22 North Main Street Union City, PA 16438-1329	Erie County Union Township	Bentley Run (16-A)	Yes

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

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

NPDES Permit No. PA0036293, Sewage, **Robinson Township Municipal Authority**, 4200 Campbells Run Road, Pittsburgh, PA 15205.

This existing facility is located in Robinson Township, **Allegheny County**.

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

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

NPDES Permit No. PA0271772, Sewage, SIC Code 8800, **Diane Melnick**, 806 Farren Surrena Road, Harrisville, PA 16038.

This proposed facility is located in Irwin 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. 2318402, Sewage, **Central Delaware County Authority**, 212 B Unity Terrace, Rutledge, PA 19070.

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

Description of Action/Activity: Construction of a new pumping station and demolish existing pumping 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 of a gravity sewer main, pump station & force main along Route 13 between Beaver Dam Road & Green Lane.

WQM Permit No. WQG02231815, Sewage, **WV-PP Towne Center LP**, 940 Sproul Road, Suite 301, 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. 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.

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

WQM Permit No. 2218402, Sewerage, **West Hanover Township STP**, 7901 Jonestown Road, Harrisburg, PA 17112-9728.

This proposed facility is located in West Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity:

This General Permit approves construction/operation of sewage facilities consisting of:

A pump station with approximately 2,200 linear feet of 4-inch diameter force main to serve the Holiday Park area of West Hanover Township.

WQM Permit No. 6718401, Sewerage, **Sargen Residence SRSTP**, 471 Shady Dell Road, York, PA 17403.

This proposed facility is located in Spring Garden Township, **York County**.

Description of Proposed Action/Activity:

This permit approves a new SRSTP with the following treatment units:

- 1,500 gal Septic
- 1,500 gal Multi-Compartment Septic Tank (w/ Zabel A-300 Filter)
- ECOFLO Rotomoule EC7-970P Bicouche
- DiUV Disinfection Unit

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

WQM Permit No. WQG02021801, Sewerage, SIC Code 4952, **Springdale Township**, P.O. Box 177, Harwick, PA 15049-0177.

This proposed facility is located in Springdale Township, **Allegheny County**.

Description of Proposed Action/Activity: The applicant proposes to replace their existing Carson Street Pump Station and increase the pumping capacity from 110 gpm to 162 gpm to eliminate SSOs.

WQM Permit No. 9662S A-5, Sewerage, SIC Code 4952, **Borough of Oakmont**, 767 5th Street, Oakmont, PA 15139-1524.

This existing facility is located in Oakmont Borough, **Allegheny County**.

Description of Proposed Action/Activity: The Borough proposes to increase the height of the existing above ground equalization tank to provide additional wet weather storage capacity.

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

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

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

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

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

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

Lehigh County Conservation District, 4184 Dorney Park Road, Suite 105, Allentown, PA 18401.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390091	Lehigh Valley Health Network Facilities & Construction Dept. 5th Floor 2100 Mack Blvd. P.O. Box 4000 Allentown, PA 18105	Lehigh	Salisbury Township	Little Lehigh Creek— HQ-CWF, MF and Cedar Creek— HQ-CWF, MF
PAD390107	Posocco Properties 2610 Walbert Ave. Allentown, PA 18104	Lehigh	Upper Macungie Township & South Whitehall Township	UNT to Jordan Creek— HQ-CWF, MF and Little Cedar Creek— HQ-CWF, MF

Schuylkill Conservation District, 1206 AG Center Drive, Pottsville, PA 17901-9733.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD540006	PPL Electrical Utilities Corporation 2 North 9th Street GENN 4 Allentown, PA 18101	Schuylkill	City of Pottsville Norwegian Township	West Branch Schuylkill River (CWF, MF), Schuylkill River (CWF, MF)

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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD630015	Pennsylvania Department of Transportation District 12-0 825 North Gallatin Avenue Extension Uniontown, PA 15401	Washington County	South Strabane Township	Little Chartiers Creek (HQ-WWF)

VII. Approvals to Use NPDES and/or Other General Permits.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types.

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

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

Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC400080	KT Holdings Inc Douglas Barbacci 58 Pittston Ave Pittston, PA 18640	Luzerne	Wright Twp	Watering Run (CWF, MF) UNT to Watering Run (CWF, MF)

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

**Facility Location:
Municipality &
County**

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC010079	Douglas & Rebecca Smith 64 High Rock Road West Hanover, PA 17331	UNT Beaver Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
PAC050028	Bedford Township Municipal Authority 1007 Shed Road Bedford, PA 15522	UNT Dunning Creek (WWF)	Bedford County Conservation District 702 West Pitt Street Suite 4 Bedford, PA 15522 814.623.7900, ext. 4

NOTICES

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bern Township Berks County Issued	PAC060184	Berkshire Greens, Inc. 10 Village Center Drive Reading, PA 19607	Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Tilden Township Berks County Issued	PAC060167	Steven & Marleen Skoloda 71 Walnut Road Hamburg, PA 19526	UNT Mill Creek (TSF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Richmond Township Berks County Issued	PAC060178	Bernell Eby 687 Lancaster Avenue New Holland, PA 17557	UNT Willow Creek (CWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Ontelaunee Township Berks County Issued	PAC060149	M&G Realty, Inc. 2295 Susquehanna Trail Suite C York, PA 17404	Schuylkill River (WWF) Maiden Creek (WWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
South Heidelberg Township Berks County Issued	PAC060144	Members 1st Federal Credit Union 5000 Louise Drive Mechanicsburg, PA 17055	Cacoosing Creek (CWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Centre Township Berks County Issued	PAC060177	Irish Creek Excavating, Inc. 2069 Tower Road Mohrsville, PA 19541	Irish Creek (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Ontelaunee Township Berks County Issued	PAC060149	M&G Realty, Inc. 2295 Susquehanna Trail Suite C York, PA 17404	Schuylkill River (WWF) Maiden Creek (WWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Logan Township Blair County Issued	PAC070043	Logan Township 100 Chief Logan Circle Altoona, PA 16602	Little Juniata (TSF) Kettle Creek (CWF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, ext. 5

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Allen Township Monroe Township Mechanicsburg Borough Cumberland County Issued	PAC210118	Tamanini Realty 832 Tamanini Way Mechanicsburg, PA 17055	Trindle Spring Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Middlesex Township Cumberland County Issued	PAC210079	Club Road Properties Limited 4400 Deer Path Road Harrisburg, PA 17110	Conodoguinet Creek (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
West Pennsboro Township Cumberland County Issued	PAC210097	FOB Properties, LLC Plainfield 670 Longs Gap Road Carlisle, PA 17013	Alexander Spring Creek (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Derry Township Dauphin County Issued	PAC220052	Penn State Hershey Medical Center 139J Physical Plant Building University Park, PA 16802	UNT Swatara Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Derry Township Dauphin County Issued	PAC220063	Musser Home Builders, Inc. 395 Gettysburg Street Dillsburg, PA 17019	Swatara Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Conewago Township Dauphin County Issued	PAC220150	Hershey RV Park & Lodging P.O. Box 544 Glenmore, PA 19343	Gallagher Run (TSF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Londonderry Township Dauphin County Issued	PAC220117	Middletown DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	Lynch Run (TSF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Lower Paxton Township Dauphin County Issued	PAC220034	Cider Press Associates, LLC 4712 Smith Street Harrisburg, PA 17109	Beaver Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Susquehanna Township Dauphin County Issued	PAC220101	The McNaughton Company 4400 Deer Path Road Suite 201 Harrisburg, PA 17110	Paxton Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

NOTICES

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Washington Township Franklin County Issued	PAC280073	LLT Partners, LLC 5171 Innovation Way Chambersburg, PA 17201	West Branch Antietam Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Township Franklin County Issued	PAC280107	Ted Snowberger 10880 Rinehart Drive Waynesboro, PA 17268	East Branch Antietam Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Chambersburg Borough Franklin County Issued	PAC280119	Detroit II Automobile, Inc. 29777 Telegraph Road Suite 2611 Southfield, MI 48034	Falling Springs Branch (TSF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Chambersburg Borough Franklin County Issued	PAC280118	County of Franklin 14 North Main Street Chambersburg, PA 17201	Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Quincy Township Franklin County Issued	PAC280126	6405 Nunnery Road Waynesboro, PA 17268	UNT West Branch Antietam Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Township Franklin County Issued	PAC280125	Shoemaker Investments P.O. Box 733 New Market, MD 21774	UNT West Branch Antietam Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Montgomery Township Franklin County Issued	PAC290111	Snowtime 100 Boxwood Lane York, PA 17402	UNT Licking Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Antrim Township Franklin County Issued	PAC280108	Richard Holloway 270 Toms Lane Greencastle, PA 17225	UNT Conococheague Creek (WWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Washington Township Franklin County Issued	PAC280122	Ronnie Martin 1400 East Main Street Waynesboro, PA 17268	Red Run (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Waynesboro Borough Franklin County Issued	PAC280104	Visionary Crafters 1128 Weatherstone Drive Waynesboro, PA 17268	East Branch Antietam Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Southampton Township Franklin County Issued	PAC280080	Matrix Shippensburg I, LP Forsgate Drive CN 4000 Cranbury, NJ 08512	Furnace Run (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
East Lampeter Township Lancaster County Issued	PAC360323	Lancaster Host Resort 2300 Lincoln Highway East Lancaster, PA 17602	Mill Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Lancaster City Lancaster Township Manheim Township Lancaster County Issued	PAC360337	City of Lancaster 120 North Duke Street Lancaster, PA 17608	Conestoga River (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
East Lampeter Township Lancaster County Issued	PAC360322	High Properties 1853 William Penn Way Lancaster, PA 17605	UNT Stauffer Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Strasburg Township Lancaster County Issued	PAC360344	Paul Flood 18th & Herr Streets Harrisburg, PA 17125	Calamus Run (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
West Donegal Township Lancaster County Issued	PAC360271	DAS Companies 724 Lawn Road Palmyra, PA 17078	UNT Conewago Creek (TSF, MF) UNT Conoy Creek (TSF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
East Donegal Township Lancaster County Issued	PAC360342	N71, Inc. 22529 Chickadee Circle Lexington Park, MD 20653	UNT Donegal Creek (CWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Manheim Township Lancaster County Issued	PAC360249	Manheim Township School District 450A Candlewyck Road Lancaster, PA 17601	Landis Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
West Lampeter Township Lancaster County Issued	PAC360308	West Lampeter Township 852 Village Road P.O. Box 237 Lampeter, PA 17537	Big Spring Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Rapho Township Lancaster County Issued	PAC360334	Daniel & Lauren Murphy 100 Acanthus Street Marietta, PA 17547	UNT Back Run (TSF) Back Run (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
East Hempfield Township Lancaster County Issued	PAC360326	DL Holdings LLC 2213 Leabrook Road Lancaster, PA 17601	UNT Little Conestoga Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Jackson Township Lebanon County Issued	PAC380094	Roy Herr 604 Elm Street Richland, PA 17087	UNT Tulpehocken Creek (TSF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
Cornwall Borough Lebanon County Issued	PAC380100	Stephen Black 1600 Mapledale Road Elizabethtown, PA 17022	UNT Snitz Creek (TFS, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
Annville Township North Lebanon Township West Lebanon Township Cleona Borough Lebanon City Lebanon County Issued	PAC380097	Kelly Grube 2800 Pottsville Pike P.O. Box 16001 Reading, PA 19612	Quittapahilla Creek (TSF, MF) Brandywine Creek (TSF, MF) UNT Swatara Creek (WWF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
Manchester Township York County Issued	PAC670189	Interstate Holdings Company 290 Emig Road P.O. Box 436 Emigsville, PA 17318-0436	Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Richland Borough & Millcreek Township Lebanon County Issued	PAC380092	Melvin Weaver 161 Spring Grove Road East Earl, PA 17519	UNT Tulpehocken Creek (TSF) Millcreek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
North Cornwall & South Lebanon Township Lebanon County Issued	PAC380065	Tom Richey 120 North Pointe Boulevard Suite 300 Lancaster, PA 17601	Snitz Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
Loganville Borough York County Issued	PAC670207	Dallastown Area School District 700 New School Lane Dallastown, PA 17313	East Branch Codorus Creek (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
West Manheim Township York County Issued	PAC670075	Stone Ridge Development Corp 330 Dubs Church Road Hanover, PA 17331	West Branch Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Hanover Borough York County Issued	PAC670224	The Trone Family Trust 350 Third Street Hanover, PA 17331	Oil Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Fairview Township York County Issued	PAC670250	Olde Orchard Hill Development Company 4712 Smith Street Harrisburg, PA 17112	Fishing Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Manchester Township York County Issued	PAC670200	York Hospitality LLC 334 Arsenal Road York, PA 17402	Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Dover Township York County Issued	PAC670020	Dover Township Sewer Authority 2480 West Canal Road Dover, PA 17315	UNT Fox Run (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Carroll Township York County Issued	PAC670249	Lobar Properties LLC 4 Barlo Circle Dillsburg, PA 17019-0432	UNT Dogwood Run (CWF-MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
West Manheim Township York County Issued	PAC670220	Trustees of the Eugene Finnegan Shelter Credit Trust 2555 Kingston Road Suite 180 York, PA 17402	Indian Run (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
York Township Spring Garden Township Springettsbury Township York County Issued	PAC670247	PENNDOT District 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Mill Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Jackson Township York County Issued	PAC670195	York Building Products Company Inc. 950 Smile Way York, PA 17404	Little Conewago Creek (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Hanover Borough & Penn Township York County Issued	PAC670212	Elsner Engineering Works Inc. 475 Fame Avenue Hanover, PA 17331	Oil Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Manchester Township York County Issued	PAC670228	OSS West York Realty LLC 1855 Powder Mill Road York, PA 17402	Willis Run (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

*Facility Location &
Municipality*

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Benner Twp Centre Cnty	PAC140042	CME Investments 560 Two Mile Road Howard, PA 16841	UNT-Logan Branch CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Harris Twp Centre Cnty	PAC140068 Renewal	Rockey Ridge Partnership 196 Potters Lane Port Matilda, PA 16870	UNT-Spring Creek/Cedar Run CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817

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

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Millcreek Township Erie County	PAC250058	Widget Financial 2154 East Lake Road Erie, PA 16511	UNT Lake Erie CWF; MF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403

General Permit Type—PAG-3

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
East Greenville Borough Montgomery County	PAG030065	Custom Processing Services 461 State Street East Greenville, PA 18041	Unnamed Tributary to Perkiomen Creek 3-E	DEP Southeast Regional Office Clean Water Program 2 E. Main Street Norristown, PA 19401 484.250.5970

*Facility Location:
Municipality &
County*

North Fayette
Township
Allegheny County

Permit No.
PAR226128

Applicant Name & Address
Wood Waste Recycling LLC
111 Kelso Road
McDonald, PA 15057

*Receiving
Water/Use*

Half Crown Run and
Unnamed Tributary
to Half Crown Run
20-F
WWF

*Contact Office &
Phone No.*

DEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive
Pittsburgh, PA
15222-4745
412.442.4000

Washington City
Washington County

PAR216127

Judson Wiley & Sons, Inc.
404 South Main Street
Washington, PA 15301

Catfish Creek—20-F

DEP Southwest
Regional Office
Clean Water Program
400 Waterfront Drive
Pittsburgh, PA
15222-4745
412.442.4000

*General Permit Type—PAG-7**Facility Location:
Municipality &
County*

West Rockhill
Township
Bucks County

Permit No.
PAG070003

Applicant Name & Address
Pennridge Wastewater
Treatment Authority
P.O. Box 31
Sellersville, PA 18960

*Site Name &
Location*

Pennridge WWTA
180 Maple Avenue
Sellersville, PA

*Contact Office &
Phone No.*

Southeast Region
Clean Water
484-250-5970

*General Permit Type—PAG-8**Facility Location:
Municipality &
County*

Richland Township
Bucks County

Permit No.
PAG080013

Applicant Name & Address
Borough of Quakertown
35 N. Third Street
Quakertown, PA 18951

*Site Name &
Location*

Quakertown WWTP
777 East Broad
Street
Quakertown, PA
18951

*Contact Office &
Phone No.*

Southeast Region
Clean Water
484.250.5970

South Middleton
Township
Wastewater
Treatment Plant
345 Leer Ln
Boiling Springs, PA
17007
Cumberland County
Monroe Township

PAG083603

South Middleton
Township Authority
P.O. Box 8
Boiling Springs, PA 17007

Same As Facility

DEP—SCRO—CW
909 Elmerton Ave
Harrisburg, PA 17110
717-705-4707

Lititz Sewage
Treatment Plant
50 Lititz Run Road
Lititz, PA 17543
Lancaster County
Warwick Township

PAG083535

Lititz Borough Sewer Authority
50 Lititz Run Road
Lititz, PA 17543

Same As Facility

DEP—SCRO—CW
909 Elmerton Ave
Harrisburg, PA 17110
717-705-4707

Same As Site
Blair County
North Woodbury
Township

PAG083534

Martinsburg Municipal
Authority
110 South Walnut Street
Martinsburg, PA 16662

Martinsburg
Wastewater
Treatment Plant
393 South
Nicodemus Street
Martinsburg, PA
16662

DEP—SCRO—CW
909 Elmerton Ave
Harrisburg, PA 17110
717-705-4707

*General Permit Type—PAG-13**Facility Location
Municipality &
County**Permit No.**Applicant Name & Address**Receiving Water/Use**Contact Office &
Phone No.*

Quakertown Borough Bucks County	PAG130096	Quakertown Borough 35 N 3rd Street Quakertown, PA 18951-1376	Tohickon Creek, Beaver Run, Unnamed Tributary to Beaver Run and Molasse Creek 2-D and 3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
East Greenville Borough Montgomery County	PAG130156	East Greenville Borough 206 Main Street East Greenville, PA 18041-1405	Macoby Creek and Unnamed Tributary to Perkiomen Creek 3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Sharon Hill Borough Delaware County	PAG130014	Sharon Hill Borough 250 Sharon Avenue Sharon Hill, PA 19079-2009	Darby Creek and Hermesprota Creek	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Trappe Borough Montgomery County	PAG130110	Trappe Borough 525 W Main Street Trappe, PA 19426-1923	Unnamed Tributary of Schoolhouse Run, Unnamed Tributary of Perkiomen Creek, Unnamed Tributary to Schoolhouse Run and Donny Brook 3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
West Deer Township Allegheny County	PAG136217	West Deer Township 109 East Union Road Cheswick, PA 15024-1719	West Branch Deer Creek, Unnamed Tributary to Deer Creek, Cedar Run, Cunningham Run, Unnamed Tributary to Little Deer Creek, and Dawson Run—18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Carnegie Borough Allegheny County	PAG136188	Carnegie Borough Allegheny County 1 Veterans Way Carnegie, PA 15106	Chartiers Creek—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*

unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

SAFE DRINKING WATER

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

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

Operations Permit No. 1518516 issued to **UMH Properties, Inc.**, 150 Clay Street, Suite 450, Morgantown, WV 26501, **PWS ID # 1150102**, Penn Township, **Chester County** on October 3, 2018 for the operation of caustic soda for pH/Alkalinity adjustment of facilities approved under construction permit # 1518516.

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit No. 2409011, Operation Permit, Public Water Supply.

Applicant	Pennsylvania-American Water Company (Watres Water System) 800 West Hershey Park Drive Hershey, PA 17033
Municipality	Plains Township
County	Luzerne
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit to Operate Issued	January 23, 2019

Permit No. 2450044, Operation Permit, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. (Hamilton Water System) 1 Aqua Way White Haven, PA 18661
Municipality	Hamilton Township
County	Monroe
Type of Facility	Public Water Supply
Consulting Engineer	Jonathan W. Morris, P.E. GHD, Inc. 326 East 2nd Street Bloomsburg, PA 17815
Permit to Operate Issued	January 28, 2019

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

Permit No. 3818502 MA, Minor Amendment, Public Water Supply.

Applicant	Richland Borough
Municipality	Richland Borough
County	Lebanon
Responsible Official	Perri Shanaman, Borough Secretary P.O. Box 676 5 Pine Street Richland, PA 17087
Type of Facility	The removal of interior corrosion, cleaning and the application of a seam sealer in an existing finished water storage tank.

Consulting Engineer	Paul Lutzkanin, P.E. Steckbeck Engineering & Surveying Inc. 279 North Zinns Mill Road 5 Pine Street Lebanon, PA 17042
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Permit to Construct Issued	1/24/2019
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Transferred Comprehensive Operation Permit No. 7210022 issued to: **Kern Property Management LLC (PWS ID No. 7210022)**, North Middleton Township, **Cumberland County** on 1/24/2019. Action is for a Change in Ownership for Hillside Mobile Home Park, Cumberland County for the operation of facilities previously issued to SRH Properties.

Operation Permit No. 0619501 E issued to: **Reading Area Water Authority (PWS ID No. 3060059)**, Ontelaunee Township, **Berks County** on 1/15/2019 for facilities submitted under Application No. 0619501 E.

Transferred Comprehensive Operation Permit No. 7360114 issued to: **Locust Wood Community, LLC (PWS ID No. 7360114)**, East Cocalico Township, **Lancaster County** on 1/24/2019. Action is for a Change in Ownership for Locustwood Mobile Home Park, Lancaster County for the operation of facilities previously issued to Locust Woods Enterprises.

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

Permit No. 4115510—Operation—Public Water Supply.

Applicant	Muncy Borough Municipal Authority
Township/Borough	Muncy Borough
County	Lycoming County
Responsible Official	Mr. Charles Leonard Muncy Borough Municipal Authority 14 North Washington Street Muncy, PA 17756
Type of Facility	Public Water Supply—Operation
Consulting Engineer	Mr. Kerns, P.E. ENTECH Engineering, Inc. 500 N. Centre Street Pottsville, PA 17901
Permit Issued	January 25, 2019
Description of Action	Authorizes operation of a 1-MG, ground-level, finished-water, storage tank and a 0.5-MG elevated tank, abandonment of the 3-MG inground reservoir, 0.2-MG Kellogg's tank, and Kellogg's booster-pump station, operation of a 2nd transmission line along Old Glade Run Road to the new 1 MG tank site near the old reservoir, and operation of the slip-lined pipe along Muncy Exchange Road.

Permit No. 1418502—Construction—Public Water Supply.

Applicant **Madisonburg Water Works**
 Township/Borough Miles Township
 County **Centre County**
 Responsible Official Mr. Thomas Snyder, President
 Madisonburg Water Works
 107 Madisonburg Pike
 Madisonburg, PA 16852

Type of Facility Public Water
 Supply—Construction

Consulting Engineer Mr. Michael J. Peleschak
 Alfred Benesch & Company
 400 One Norwegian Plaza
 Pottsville, PA 17901

Permit Issued January 25, 2019

Description of Action Authorizes Madisonburg Water
 Works to add orthophosphate to
 source water to optimize
 corrosion control and further
 reduce lead and copper.

Permit No. 4918503MA—Operation—Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
 Township/Borough Coal Township
 County **Northumberland County**
 Responsible Official Mr. Patrick R. Burke
 Director of Operations
 Aqua Pennsylvania, Inc.
 204 E. Sunbury Street
 Shamokin, PA 17872

Type of Facility Public Water Supply—Operation

Consulting Engineer Mr. Chad M. Angle
 GHD, Inc.
 1240 North Mountain Road
 Harrisburg, PA 17112

Permit Issued January 24, 2019

Description of Action Authorizes operation of the
 temporary carbon-feed system
 that has been installed in the
 pipe-gallery area of the Roaring
 Creek Water Treatment Plant
 (WTP) until a full carbon-feed
 system is designed, permitted,
 and built.

Permit No. 4907502-T1-A3—Operation & Construction—Public Water Supply.

Applicant **Cherokee Pharmaceuticals,
 LLC**
 Township/Borough Riverside Borough
 County **Northumberland County**
 Responsible Official Mr. Thomas P. Forrestal
 Cherokee Pharmaceutical, LLC
 100 Avenue C
 P.O. Box 367
 Riverside, PA 17868

Type of Facility Public Water Supply—Operation
 & Construction

Consulting Engineer

Ms. Maureen Hoke, P.E.
 O'Brien & Gere Engineers, Inc.
 300 Drayton Street
 3rd Floor
 Savannah, GA 31401-4448

Permit Issued

January 28, 2019

Description of Action

Authorizes removal of the three
 Permutit Filters and operation of
 the Filter Plant without the
 three Permutit Filters.

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

Permit No. 6516509-A1, Public Water Supply.

Applicant

**Municipal Authority of
 Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672

[Borough or Township]

Bell Township

County

Westmoreland

Type of Facility

Water system

Consulting Engineer

Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Permit to Construct
 Issued

January 24, 2019

Permit No. 5617510-A1, Public Water Supply.

Applicant

Borough of Garrett
 307 Municipal Road
 P.O. Box 218
 Garrett, PA 15542

[Borough or Township]

Summit Township

County

Somerset

Type of Facility

Water system

Consulting Engineer

The EADS Group, Inc.
 450 Aberdeen Drive
 Somerset, PA 15501

Permit to Construct
 Issued

January 25, 2019

Permit No. 6518516MA, Minor Amendment. Public Water Supply.

Applicant

**Municipal Authority of
 Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672

[Borough or Township]

Bell Township

County

Westmoreland

Type of Facility

Water system

Consulting Engineer

Municipal Authority of
 Westmoreland County
 124 Park & Pool Road
 New Stanton, PA 15672

Permit to Construct
 Issued

January 24, 2019

Permit No. 0419502MA-E, Minor Amendment. Public Water Supply.

Applicant **New Sewickley Township Municipal Authority**
233 Miller Road
New Sewickley Township, PA 15074

[Borough or Township] New Sewickley Township

County **Beaver**

Type of Facility Harvey Run Road (HRR) system waterline

Consulting Engineer Michael Baker International
100 Airside Drive
Moon Township, PA 15108

Permit to Construct Issued January 29, 2019

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

Permit No. 2518504, Public Water Supply.

Applicant **Waterford Municipal Authority**

Township or Borough Waterford Borough

County **Erie**

Type of Facility Public Water Supply

Consulting Engineer August E. Maas, P.E.
GPI Greenman-Pedersen, Inc.
8 Gibson Street
North East, PA 16428

Permit to Construct Issued January 22, 2019

Permit No. 2518504, Public Water Supply.

Applicant **Meadville Lodge 219**

Township or Borough West Mead Township

County **Crawford**

Type of Facility Public Water Supply

Consulting Engineer Dennis J. Duryea, P.E.
220 Sylvan Drive
Lower Burrell, PA 15068

Permit to Construct Issued January 28, 2019

Permit No. 1018503, Public Water Supply.

Applicant **Adams Township Municipal Authority**

Township or Borough Adams Township

County **Butler**

Type of Facility Public Water Supply

Consulting Engineer John D. Klein
Herbert, Rowland & Grubic
200 West Kensinger Drive
Cranberry Township, PA 16066

Permit to Construct Issued January 29, 2019

Permit No. 3718503, Public Water Supply.

Applicant **PA American Water Company**

Township or Borough Jackson Township

County **Butler**

Type of Facility Public Water Supply

Consulting Engineer Kurt Todd
Gateway Engineers
201 South Main Street
Butler, PA 16001

Permit to Construct Issued January 29, 2019

WATER ALLOCATIONS

Actions taken on applications received under the Act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

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

WA-09-346C, Water Allocations. **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA, Bristol Borough, **Bucks County.** Granting the right to withdraw 13.5 million gallons per day from the Delaware River.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Spring Township	2850 Windmill Road Sinking Spring, PA 19608	Berks

Plan Description: Approval is granted for a revision to the official plan of Spring Township, Berks County. The project is known as the Reserve at Grings Mill. The project consists of ten apartment buildings comprised of a total of 210 apartment units (90 one-bedroom and 120 two-bedroom), and a community center on 16 acres with total sewage flows of 25,674 gallons per day to be served by the Spring Township collection and conveyance facilities and the City of Reading's conveyance and treatment facilities. The permit application for the proposed pump station and force main must be submitted in the name of the municipality. The Department's review of the revision has not identified any significant impacts resulting from this proposal. The DEP Code Numbers for this plan are B3-06961-229-3 and Application No. 964264.

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.

Williams Companies—Rattlesnake Hill Facility, 87 Fuller Road, Auburn Township, Susquehanna County. Apex Companies, 20 Valley Stream Parkway, Suite 270, Malvern, PA 19355, on behalf of Williams Companies, 400 IST Center, Horseheads, NY 14845, submitted a revised Final Report concerning remediation of site soils contaminated with # 2 heating oil and leaded gasoline. The report is intended to document remediation of the site to meet non-residential Statewide Health Standards.

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

1501 North George Street, 1501 North George Street, York, PA 17404, Manchester Township, York County. Liberty Environmental, Inc., 505 Penn Street, Reading, PA 19601, on behalf of Molt, LLC, P.O. Box 20316, York, PA 17402, submitted a Remedial Investigation Report and Cleanup Plan concerning site soil and groundwater contaminated with leaded and 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.

Hoovestol, Inc. Diesel Spill Cleanup, Interstate 80 at Milemarker 221E, Danville, Liberty Township, Montour County. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Hoovestol, Inc., 1256 Trapp Road, Eagan, MN 55121, has 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 Statewide Health Standard.

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

Community Chevrolet Geo, 16408 Conneaut Lake Road, Vernon Township, Crawford County. Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of KM & T Land Management, 16408 Conneaut Lake Road, Meadville, PA 16335, submitted a combination Remedial Investigation/Risk Assessment/Final Report concerning the remediation of site soil contaminated with 2-methylnaphthalene, benzo[a]anthracene, naphthalene, benzene, xylene (total), m&p-xylene, o-xylene, 1,1-dichloroethane, 1,2-dichlorobenzene, 1,4-dichlorobenzene, ethylbenzene, tetrachloroethene, toluene, trichloroethene, cis-1,2-dichloroethene and site groundwater contaminated with benzo[a]anthracene, benzo[a]pyrene, naphthalene, 1,1-dichloroethane, 1,2-dichloroethane, 1,4-dichlorobenzene, benzene, bromomethane, chloromethane, trichloroethene, and vinyl chloride. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports

submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Esterly Concrete Company Diesel & UMO Release, 500 Plum Creek Road ROW, Leesport, PA 19533, Penn Township, **Berks County**. Crawford Environmental Services, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of PennDOT Maintenance—Berks, 4680 Fifth Street Highway, Temple, PA 19560, submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and used motor oil. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard and was disapproved by the Department on January 24, 2019.

Former Electroplaters of York, 209 East Willow Street, Wrightsville, PA 17368, Borough of Wrightsville, **York County**. ARM Group, Inc., 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033, on behalf of Wrightsville Borough Municipal Authority, 601 Water Street, P.O. Box 187, Wrightsville, PA 17368, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with inorganics, VOCs and chlorinated solvents. The Report was approved by the Department on January 24, 2019. The site is being remediated to the Site-Specific Standard.

DDSP Small Arms Range/Downgradient Area, 2001 Normandy Drive, New Cumberland, PA 17070, Fairview Township, **York County**. Plexus-PARS JV, 5510 Cherokee Avenue, Alexandria, VA 22312, on behalf of Defense Logistics Agency, 8725 John J. Kingman Road, Suite 2639, Fort Belvoir, VA 22060-6221, submitted a Final Report concerning remediation of site soil contaminated with inorganics from a small arms firing range. The Final Report demonstrated attainment of the Residential Statewide Standard and was approved by the Department on December 12, 2018.

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

Robert Slivka Residence, 9587 Jacktown Road, Lower Mount Bethel Township, **Northampton County**. Trimpi Associates, 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348-6169, submitted a Final Report concerning remediation of site soil and groundwater contaminated as the result of a release of # 2 fuel oil from an aboveground storage tank. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on January 22, 2019.

S. Moore Pad 1, 1397 Lucy Daly Road, Jessup Township, **Susquehanna County**. Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, on

behalf of Cabot Oil & Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, submitted a Final Report concerning remediation of a release of hydraulic fracturing fluid to the soil. The report documented remediation of the site to meet a combination of Background and Statewide Health Standards and was approved by DEP on January 22, 2019.

Linney Residence, 600 Apple Street, Hellertown Borough, **Northampton County**. The Vertex Companies, 400 Libbey Parkway, Weymouth, MA 02189, on behalf of Dieter Brothers Fuel Company, 1226 Stefko Boulevard, Bethlehem, PA 18017, submitted a final report concerning remediation of site soil contaminated with heating oil from an aboveground storage tank. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on January 23, 2019.

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 documented remediation of the site to meet Statewide Health Standards and was approved by DEP on January 24, 2019.

Lorenzi Property, 41 Shale Road, Berlin Township, **Wayne County**. Bluestone Environmental Inc., 196 Beach Lake Highway, Honesdale, PA 18431, on behalf of Joseph Lorenzi, 41 Shale Road, Beach Lake, PA 18405, submitted a final report concerning remediation of site soil contaminated with heating oil from an underground storage tank. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on January 24, 2019.

Jainnini Property, 2555 Creek Road, Jackson Township, **Susquehanna County**. GeoLogic NY, P.O. Box 350, 37 Copeland Avenue, Homer, NY 13077, on behalf of Lindsey Oil Company, P.O. Box 277, New Milford, PA 18834, submitted additional final report information concerning remediation of site soil contaminated with heating oil from an aboveground storage tank. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on January 24, 2019.

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

A & M Transport Release, Interstate 80 at MM 202E, New Columbia, White Deer Township, **Union County**. Northridge Group, Inc, P.O. Box 231, Northumberland, PA 17857, on behalf of A&M Transport, LLC, 1000 Long Boulevard, Suite 5, Lansing, MI 48911, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and motor oil. The report demonstrated attainment of the Non-Residential Statewide Health Standard and was approved by the Department on January 24, 2019.

Weis Markets, 238 Chestnut Street, Mifflinburg Borough, **Union County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Weis Markets, 1000 South Second Street, Sunbury, PA 17801, has submitted a Cleanup Plan/Final Report concerning remediation of site soil and groundwater contaminated with leaded and unleaded gasoline. The reports demonstrated attainment of the Non-Residential Statewide Health

Standard for soil and the Site-Specific Standard for groundwater and were approved by the Department on January 24, 2019.

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

Interstate Chemical Company, 2797 Freedland Road, City of Hermitage, **Mercer County**, Wood Environment & Infrastructure Solutions, Inc., 4600 J. Barry Court, Suite 210, Canonsburg, PA 15317, on behalf of Interstate Chemical Company, Inc., 2797 Freedland Road, Hermitage, PA 16148 submitted a Risk Assessment concerning the remediation of site soil contaminated with 1,1,1-trichloroethane, tetrachloroethene (PCE), 1,1,2,2-tetrachloroethane, trichloroethene (TCE), cis-1,2-DCE, toluene, ethylbenzene, total xylenes, methylene chloride, naphthalene, bis[2-ethylhexyl]phthalate; site surface water contaminated with arsenic, cis-1,2-DCE, TCE, 1,1,1-trichloroethane, 1,1-dichloroethane, 1,1-dichloroethene, 1,2-dichloroethane, 2-propanol, 4-methyl-2-pentanone (MIBK), acetone, cis-1,2-dichloroethene, methyl tert-butyl ether, toluene, PCE, vinyl chloride, methylene chloride, xylenes total, diethyl phthalate, fluoranthene, bis[2-ethylhexyl]phthalate; site groundwater contaminated with furfural, methanol, 2-propanol, n-butyl alcohol, 1,1,1-trichloroethane, cis-1,2-dichloroethene, 1,1-dichloroethane, ethylbenzene, 1,1-dichloroethene, methyl tert-butyl ether (MTBE), 1,2-dichloroethane, methylene chloride, 2-butanone (MEK), tetrachloroethene (PCE), 4-methyl-2-pentanone (MIBK), trans-1,2-dichloroethene, benzene, tetrahydrofuran, chlorobenzene, trichloroethene (TCE), chloroform, vinyl chloride, total xylenes, toluene, aniline, arsenic, ethylene glycol, formaldehyde, acetone, 2-hexanone, hexane, isobutyl alcohol, 2-methylnaphthalene, 4-chloroaniline, isophorone, 3&4 methylphenol, naphthalene, di-n-butylthalate, selenium, chromium (+6), mercury, and bis[2-ethylhexyl]phthalate. The Report was disapproved by the Department on January 18, 2019.

Wildwood Tower Road Brine Release, Wildwood Tower Road, Jones Township, **Elk County**. ARM Group, Inc., 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033, on behalf of Seneca Resources Company, LLC, submitted a Final Report concerning the remediation of site soil contaminated with aluminum, barium, boron, iron, lithium, manganese, selenium, strontium, vanadium, zinc, and chloride. The Final Report demonstrated attainment of the Statewide Health and Background Standards and was approved by the Department on January 24, 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.

Renewal Applications Received

Munoz Trucking Corp., 40 Porete Avenue, North Arlington, NJ 07031. License No. PA-AH 0850. Effective Jan. 28, 2019.

Force, Inc., 1380 Route 286 Highway, Indiana, PA 15701. License No. PA-AH 0819. Effective Jan. 29, 2019.

Hazardous Waste Transporter License Reissued

Munoz Trucking Corp., 40 Porete Avenue, North Arlington, NJ 07031. License No. PA-AH 0850. Effective Jan. 28, 2019.

Force, Inc., 1380 Route 286 Highway, Indiana, PA 15701. License No. PA-AH 0819. Effective Jan. 29, 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.

Renewal Applications Received

Brandywine Green, Inc., D.B.A Pet Memorial Services, 126 Turner Lane, West Chester, PA 19380. License No. PA-HC 0195. Effective Jan. 28, 2019.

Regulated Medical and Chemotherapeutic Waste Transporter Reissued

Brandywine Green, Inc., D.B.A Pet Memorial Services, 126 Turner Lane, West Chester, PA 19380. License No. PA-HC 0195. Effective Jan. 28, 2019.

Conservative Environmental Services, Inc., P.O. Box 745, Mechanicsburg, PA 17055. License No. PA-HC 0224. Effective Jan. 28, 2019.

RENEWAL OF RESIDUAL WASTE GENERAL PERMITS

Renewal of General Permit issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities (25 Pa. Code § 287.611 (relating to authorization for general permit)).

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

General Permit No. WMGR029SC001A. Heritage-Crystal Clean, LLC, Elizabethtown Facility, 2388 North Market Street, Elizabethtown, PA 17022, located in West Donegal Township, **Lancaster County**. The Department of Environmental Protection has issued a renewal of General Permit No. WMGR029SC001A to Heritage-Crystal Clean, LLC for the operation of a transfer facility for the processing of waste oil, spent antifreeze, used oil filters, waste oil/water mixtures and commercial fuel products prior to beneficial use. The approved processing is limited to collection, bulking, storage, and passive oil/water separation. Based on their permit application, Heritage-Crystal Clean's permit is currently limited to acceptance of waste oil and oily water mixtures for bulking and storage in railcars. This renewal was issued on January 29, 2019.

Persons interested in reviewing the general permits may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg,

PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP14-09-0149: Laurel Cremation Services, Inc. (800 Newtown Richboro Road, Richboro, PA 18954) On January 23, 2019 for a Human Crematory (Source ID 102) in Northampton Township, **Bucks 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.

GP5A-30-00242/AG5-30-00002A: CNX Gas Company, LLC (1000 Consol Energy Drive, Canonsburg, PA 15317) on January 24, 2019, for authorization to construct and/or operate an unconventional natural gas well site consisting of five (5) natural gas wells in Richhill Township, **Greene County**.

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

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

GP4-10-343C: Sharkskin Finishings (670 Mercer Rd., Butler, PA 16001) on January 22, 2019, for the authority to continue operation of a natural gas fired burn off oven (BAQ-GPS/GP4) located at their facility in Butler Township, **Butler County**.

GP3-10-418B: Glenn O' Hawbaker, Parker Facility (711 E College Ave., Bellefonte, PA 16823) on January 23, 2019, for the authority to install a 400 tph capacity Kolberg model FT4250 combination impact crusher & vibratory screen (BAQ-GPS/GP3) located at their facility in Parker Township, **Butler County**.

GP11-10-418B: Glenn O' Hawbaker, Parker Facility (711 E College Ave., Bellefonte, PA 16823) on January 23, 2019, for the authority to install a 400 bhp Cummins model QSM11-C generator engine (BAQ-GPS/GP11) located at their facility in Parker Township, **Butler County**.

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

Contact: Roger Fey, Chief—Telephone: 215-823-7584.

OP18-000024: TierPoint, LLC (4775 League Island Boulevard, Philadelphia, PA 19112) for the operation of a data center facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three (3) 1,736 kilowatt diesel emergency generators.

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.

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

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

59-00037A: Energy Water Solutions, LLC (9070 Gleannloch Forest Dr., Ste. 100, Spring, TX 77379) on January 23, 2019, to construct and operate three produced water evaporator/concentrator (VOX) systems, each equipped with a 9.5 MMBtu/hr, natural gas-fired burner and set of drift eliminators and each powered by a 60 kW, natural gas-fired engine/generator set, at EQT Production Company's existing Phoenix S Well Pad located in Duncan Township, **Tioga County**. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 59-00037A, the applicants will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

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.

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.

36-05081B: Lancaster County Solid Waste Management Authority (1299 Harrisburg Pike, Lancaster, PA 17604) on January 18, 2019, for the construction of a vertical expansion to the existing Frey Farm Landfill site located at the Creswell-Frey Farm Landfill in Manor Township, **Lancaster County**. The plan approval was extended.

01-05033B: Knouse Foods Cooperative, Inc. (800 Peach Glen-Idaville Road, Peach Glen, PA 17307) on January 25, 2019, for construction of a combined heat and power (CHP) project to include an anaerobic digester, combustion flare, IC engine/generator set and catalytic oxidizer at the Peach Glen facility in Huntington Township, **Adams County**. The plan approval was extended.

22-03052D: Hearth and Home Technologies (352 Mountain House Road, Halifax, PA 17032) on January 25, 2019, for the construction of two (2) paint booths with filters at the heating equipment manufacturing facility located in Jackson Township, **Dauphin County**. The plan approval was extended.

21-05037B: Union Quarries, Inc. (P.O. Box 686, Carlisle, PA 17013) on January 25, 2019, for the installation of a 550 ton per hour limestone crushing plant to replace the existing plant at the Bonny Brook quarry in South Middleton Township, **Cumberland County**. The plant will include a jaw crusher, cone crushers, several screens and a battery of conveyors, and will be controlled by a wet suppression system. 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.

49-00063A: Sensenig Milling Services, Inc. (10705 State Route 44, Watsonstown, PA 17777) on January 23, 2019 to extend the authorization to operate the bakery waste rotary dryer at their facility located in Lewis Township, **Northumberland County** on a temporary basis to July 22, 2019. The plan approval has been extended.

08-00057A: Gateway Cogeneration 1, LLC (6219 Squires Court, Spring, TX 77389) on January 19, 2019, to extend the authorization to construct a 128 MW electric power generation station at the Gateway Bradford Plant facility located in Towanda Township, **Bradford County** to January 19, 2020. The plan approval has been extended.

18-00030C: First Quality Tissue, LLC (904 Woods Avenue, Lock Haven, PA 17745) on January 28, 2019, to extend the authorization to construct a paper towel and tissue manufacturing operation at their facility located in Castanea Township, **Clinton County** to July 25, 2020. The plan approval has been extended.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

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

15-00092: Main Line Hospitals, Inc./Paoli Memorial (255 West Lancaster Avenue, Paoli, PA 19301-1792) On January 23, 2019 for the renewal of a State Only, Synthetic Minor Operating Permit in Willistown Township, **Chester County**. This renewal also incorporates General Plan Approval/General Operating Permit No. GP1-15-0106. The facility operates 10 boilers for hot water and heating, and 5 emergency generators for emergency power at this site. Insignificant sources include natural gas stoves, ovens, and grills that are used in the cafeteria kitchen, two (2) ETO sterilizers, and a small parts washer. The proposed renewal of the Operating Permit does not authorize any increase in air emissions, of regulated pollutants, above previously approved levels. The facility maintains a synthetic minor operating status by maintaining total NO_x emissions to less than 24.90 tons per year. The renewed permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, State, and Federal air quality requirements.

09-00112: Superior Woodcraft, Inc. (160 North Hamilton Road, Doylestown, PA 18901) On January 24, 2019 for the renewal of a non-Title V, Synthetic Minor facility located in Doylestown Borough, **Bucks County**.

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

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

56-00294: New Enterprise Stone and Lime Co. (1715 Water Level Road, Somerset, PA 15501) on January 22, 2019, the Department of Environmental Protection (DEP) authorized a renewed synthetic minor operating

permit for an asphalt plant located in Jefferson Township, **Somerset County**. There are production limits to keep the facility under Title V thresholds, and periodic testing using a portable analyzer is required for CO emission monitoring. The permit includes operating requirements, monitoring requirements, and recordkeeping requirements for the site.

04-00707: Colona Transfer, LP (P.O. Box 296, Currie Road, Portersville, PA 16051) On January 25, 2019, the Department issued a renewal State Only Operating Permit for the operation of a bulk materials transfer and shipping terminal located in the borough of Monaca, **Beaver County**. The facility contains air contamination sources consisting of material storage piles, barge, railcar, and truck loading/unloading operations, coal conveyor belts, and plant roads. Air pollution prevention equipment includes water sprays for loading/unloading operations and a water truck for plant roads. This permit incorporates the requirements of previous operating permit 04-00709 for Colona Transfer's Colona Dock # 2 facility. Colona Dock # 2 is adjacent to this facility and is owned and operated by Colona Transfer, LP. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed operating permit includes emission limitations, as well as monitoring, work practice, reporting, and recordkeeping requirements for the facility.

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.

09-00216: B. Blair Corporation (95 Louise Drive, Ivyland, PA 18974) On January 22, 2019 for operation of a portable crusher in Northampton Township, **Bucks County**. This amendment is to incorporate Plan Approval, Number 09-0216A, into the State-Only Operating Permit. No other changes have been made and there is no increase in emissions to the atmosphere. Administrative Amendment of the operating permit issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

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

49-00033: Watsonstown Brick Company (P.O. Box 68, Route 405, Watsonstown, PA 17777-0068) On December 19, 2018 for their facility located in Delaware Township, **Northumberland County**. The minor operating permit modification was issued in accordance with the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.462. The revision incorporated terms and conditions to verify that the facility is an area source of hazardous air pollutants. The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

08-00008: Guthrie Robert Packer Hospital (1 Guthrie Square, Sayre, PA 18840-1625) On January 3, 2019 for an Administrative Amendment of their non-Title V (State Only) Operating Permit for their facility located in Sayre Borough, **Bradford County**. The Administrative Amendment of the State Only Operating Permit was issued in accordance with 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 08-00008A (Source ID P135—Combined Heat and Power Engine). The amended permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirements.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

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

TV-04-00702: United States Gypsum Company (1 Woodlawn Rd., Aliquippa, PA 15001). Per 25 Pa. Code § 127.449(i), this Notice is for the following de minimis emission increase at the United States Gypsum Company Aliquippa Plant located in Aliquippa, **Beaver County**:

This project is for the installation of a Dry Material Handling System with three dust collectors rated at 1,200 cfm, 800 cfm, and 600 cfm for control of particulate

matter emissions. PM₁₀ emissions from the project will not exceed 0.41 ton per year from a single source and 0.88 ton per year total. PM₁₀ emissions from any of the dust collectors will not exceed 0.009 gr/dscf, no production increase or natural gas combustion increase will occur as a result of this project, and the sources installed as part of this project are subject to the requirements of 40 CFR Part 60, Subpart OOO.

This project will not trigger the requirements of 25 Pa. Code Subchapter E or 40 CFR Part 52 at the facility. The list of de minimis increases for this facility includes only this project.

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

Contact: Dave Balog, New Source Review Chief or Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6340.

32-00040: Seward Generating Station (595 Power Plant Road, New Florence, PA 15944) for its facility located in East Wheatfield Township, **Indiana County**. The De minimis emission increase is for the proposed construction of a Rotary Breaker/Screen and associated Conveyors. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the Operating Permit issuance on February 11, 2013.

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
1-28-19	Rotary Breaker/ Screen & Conveyors	0.03				
Total Reported Increases		0.03				
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

62-00032: Ellwood National Forge (One Front St., Irvine, PA 16329) for its facility located in Brokenstraw Township, **Warren County**. The De minimis emission increase is for the installation of an abrasive blasting operation. In addition, the proposed activity is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8). The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code § 127.449(i). This list includes the De minimis emission increases since the Title V Operating Permit issuance on January 30, 2018.

Date	Source	PM ₁₀ (tons)	SO _x (tons)	NO _x (tons)	VOC (tons)	CO (tons)
2/28/2018	Standalone spray booth	0.09	0	0	0.018	0
12/13/2018	Abrasive blasting	0.1	0	0	0	0
Total Reported Increases		0.19	0	0	0.018	0
Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

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.

56841328 and NPDES No. PA0033677. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Mine 78 in Paint Township, **Somerset County** and Adams and Croyle Townships, **Cambria County** to and related NPDES permit for addition of a sludge disposal borehole and associated pipelines at the St. Michael Treatment Plant. Surface Acres Proposed 7.3. No additional discharges. The application was considered administratively complete on July 19, 2016. Application received August 21, 2015. Permit issued: January 17, 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.

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

3473SM8 and NPDES Permit No. PA0200590. M. B. Energy, Inc. (175 McKnight Road, Blairsville, PA 15717). Transfer of permit formerly issued to North Cambria Fuel for continued operation and reclamation of a bituminous surface mining site, located in Derry Township, **Westmoreland County**, affecting 15.5 acres. Receiving streams: Unnamed tributaries to Loyalhanna Creek, classified for the following use: WWF. Application received: July 24, 2017. Transfer Permit issued: January 24, 2019.

Noncoal Permits Issued

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

59980302. DeCristo, Inc. (9070 Route 414, Canton, PA 17724). Transfer of an existing large noncoal mine from Dunbar Farm and Gravel located in Chatham and Westfield Townships, **Tioga County** affecting 12.6 acres. Receiving stream(s): UNT to Jemison Creek classified for the following use(s): WWF and MF. There are no potable water supply intakes within 10 miles downstream. Application received: February 21, 2018. Permit issued: January 16, 2019.

PAM218011. DeCristo, Inc. (9070 Route 414, Canton, PA 17724), hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with Large Noncoal Permit No. 59980302 to the following surface water(s) in Chatham and Westfield Townships, **Tioga County**. Receiving stream(s): UNT to Jemison Creek. Application received: February 21, 2018. Permit Issued: January 16, 2019.

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

63920301 and NPDES Permit No. PA0203424. Langeloth Metallurgical Co., LLC (10 Langeloth Plant Drive, Langeloth, PA 15054). Permit issued for commencement, operation and restoration of a large noncoal surface mine, located in Smith Township, **Washington County**, affecting 13.0 acres. Receiving streams: Burgetts Fork. Application received: June 19, 2017. Permit issued: January 24, 2019.

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

Permit No. 64112502C and NPDES Permit No. PA0225061. Johnston & Rhodes Bluestone Co., (P.O. Box 130, East Branch, NY 13756), renewal of an existing NPDES Permit for discharge of treated mine drainage from a quarry operation in Manchester Township, **Wayne County**, receiving stream: Weston Brook. Application received: October 18, 2017. Renewal issued: January 24, 2019.

Permit No. PAM118008. Alliance Sand Company, (415 Golf Road, Palmerton, PA 18071), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 7373SM2 in Lower Towamensing Township and Palmerton Borough, **Carbon County**, receiving stream: unnamed tributaries to Lehigh River. Application received: March 8, 2018. Permit issued: January 25, 2019.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

41194101. John H. Brainard Explosives, LLC (P.O. Box 66, Clifford, PA 18413). Blasting for commercial development located in Loyalsock Township, **Lycoming County** with an expiration date of December 21, 2019. Permit issued: January 24, 2019.

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

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 17, 2020. Permit issued: January 18, 2019.

Permit No. 22194101. Schlouch, Inc., (P.O. Box 69, Blandon, PA 19510), construction blasting at Hershey Park in Derry Township, **Dauphin County** with an expiration date of January 9, 2020. Permit issued: January 22, 2019.

Permit No. 58194101. Meshoppen Blasting, Inc., (P.O. Box 127, Meshoppen, PA 18630), construction blasting for Cabot Powers M Pad Tank farm in Auburn Township, **Susquehanna County** with an expiration date of January 10, 2020. Permit issued: January 22, 2019.

Permit No. 58194102. Meshoppen Blasting, Inc., (P.O. Box 127, Meshoppen, PA 18630), construction blasting for Cabot Powers M Pad Tank farm in Auburn Township, **Susquehanna County** with an expiration date of January 10, 2020. Permit issued: January 22, 2019.

Permit No. 58194103. John H. Brainard, (P.O. Box 66, Clifford, PA 18413), construction blasting for Mike Oliverio road widening and stone yard expansion in Gibson Township, **Susquehanna County** with an expiration date of December 31, 2019. Permit issued: January 22, 2019.

Permit No. 06194102. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Keener Heights in Robesonia Borough and Heidelberg Township, **Berks County** with an expiration date of January 16, 2020. Permit issued: January 24, 2019.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free

pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E46-1170. SEI Investments Corporation, 1 Freedom Valley Drive, Oaks, PA 19456, Upper Providence Township, **Montgomery County**, ACOE Philadelphia District.

To perform the below-listed water obstruction and encroachment activities associated with the SEI Investments—North Campus Expansion. The proposed development includes the construction of six office buildings, access driveways, and a multi-story parking garage. The proposed project will have approximately 0.024 acre of temporary impacts to the Wetlands designated as Wetlands B and C, and 0.072 temporary impacts to the unnamed tributary to the Perkiomen Creek. The proposed project also includes 0.562 permanent impacts to the designated Wetlands A, B, C, and G, and 0.076 acre permanent impacts to the ephemeral stream located downslope of Wetland A and the unnamed tributary to the Perkiomen. The proposed project is not within the 100-year floodplain.

The site is approximately at the intersection of Freedom Valley Drive and Cider Mill Road (to the west), along the Perkiomen Creek and Perkiomen Trail (to the east) (Lansdale Latitude: 40° 8' 39"); Longitude: 75° 26' 58").

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.

E48-452. City of Easton, 123 South Third Street, Easton, PA 18042. City of Easton, **Northampton County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a 9-foot wide single-span, steel beam, concrete deck, concrete abutment pedestrian bridge, having a 130-foot span and approximate 14-foot underclearance, across Bushkill Creek (HQ-CWF, MF). The project is located approximately 1,100 feet downstream from where the Bushkill Creek intersects the North 13th Street Bridge. (Easton Quadrangle Latitude: 40° 41' 53"; Longitude: -75° 13' 28.59"). Subbasin 1F.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E01-325: Littlestown Borough Authority, 10 South Queen Street, Littlestown, PA 17340 in Littlestown Borough, **Adams County**, U.S. Army Corps of Engineers Baltimore District.

To 1) Place and maintain approximately 320 square feet of fill within the floodplain of Piney Creek (WWF, MF) for the purpose of building a new pump station at South Queen Street. 2) To install, operate, and maintain 2 stream crossings of Piney Creek and 3 stream crossings of unnamed tributaries to Piney Creek with 10-inch gravity flow sanitary sewer interceptor permanently impacting 21.34 square feet of streams and 1,470.06 square feet of floodway. The project is located near the intersection of Mill Avenue and South Queen Street (Latitude: 39.742027; Longitude: -77.077801). No wetlands will be impacted by this project. The permit was issued on January 23, 2019.

E22-632: Thea Drive Associates, LLC, 474 Mt. Sidney Road, Lancaster, PA 17602 in Susquehanna Township, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To 1) To maintain fill in approximately 121 square feet of palustrine emergent wetlands that was previously performed without a permit; 2) to maintain a sewer line crossing of an unnamed tributary to Black Run (WWF, MF) and an associated wetland swale installed previously without a permit impacting 55 linear feet of stream and 1,712 square feet of emergent wetlands; 3) to maintain an outfall with a rip rap apron along an unnamed tributary to Black Run (WWF, MF) installed previously without a permit impacting 22 linear feet of stream; 4) to construct and maintain a 2.83-foot by 17.75-foot corrugated metal arch culvert in an unnamed tributary to Black Run (WWF, MF) and adjacent palustrine emergent wetland impacting 26 linear feet of stream and 595 square feet of wetland; 5) to construct and maintain five 30-inch SLCPP culverts to carry a road crossing and utilities over a palustrine emergent wetland impacting 1,281 square feet of wetland; 6) to construct and maintain a 2.83-foot by 11.58-foot corrugated metal arch culvert and utilities in an unnamed tributary to Black Run (WWF, MF) and adjacent palustrine emergent wetland, impacting 97 linear feet of stream and 1,673 square feet of wetland; 7) to construct and maintain three culvert crossings associated with three pedestrian bridges over two unnamed tributaries to Black Run (WWF, MF); 8) to construct and maintain a 24-inch reinforced concrete pipe outfall with a rip rap apron within the floodway of Black Run (WWF, MF); 9) to construct and maintain a sewer line crossing of an unnamed tributary to Black Run (WWF, MF), impacting 60 linear feet of stream; and 10) to install and maintain a welded steel riser plate to the existing 24-inch concrete riser within the on-line Widener pond all for the purpose of providing access in and around a townhouse community. The project involves 6 stream crossings totaling 379 linear feet and 8 wetland impacts totaling 5,382 square feet (3,670 square feet of permanent impacts). Mitigation is intended for previous impacts as well as newly proposed impacts, which includes 8,000 square feet of emergent wetlands (approximately 2:1 replacement) and a total of 1,550 linear feet of riparian corridor enhancement along two watercourses. The permit was issued on January 23, 2019.

E67-918: Columbia Gas of PA, 1600 Colony Road, York, PA 17408 in Paradise Township, **York County**, U.S. Army Corps of Engineers Baltimore District.

To amend the previously issued water obstruction and encroachment permit, permit number E67-918, which authorized the following:

P.H. Glatfelter Company proposes to install and maintain a natural gas connector line spanning approximately 6 miles in Jackson and Paradise Townships beginning at

39° 55' 22"N, 76° 56' 15"W and ending at 39° 52' 33"N, 76° 52' 22"W. Ten (10) wetland crossings and thirteen (13) stream crossings are necessary for the proposed project. Wetland impacts comprise 21,541 square feet (permanent) and 19,997 square feet (temporary). Temporary linear stream impacts total 759 feet with an impact area of 6,072 square feet. Floodway impacts total 2.66 acres. Nine (9) additional stream crossings accompany the project which qualify for a waiver of permit requirements under 25 Pa. Code § 105.12(a)(2). Crossings will be permitted open cut and timber matted for temporary access, with the exception of KLF-Wetland03 and KLF-Wetland04 which will utilize bore methods. KLF-Wetland01 will be permanently impacted with the construction of a new impervious surface (157-ft by 150-ft) for a valve site. KLF-Wetland03 and KLF-Wetland04 are classified as Exceptional Value.

The permit was previously amended to include:

To install and maintain a 6-inch steel natural gas connector line. The crossing will be installed by directional bore method under a 46-inch culvert pipe carrying an unnamed tributary to Paradise Run (WWF) located within the Township right-of-way along the south side of North Lake Road just south of the intersection of North Schoolhouse Road in Paradise Township, York County at 39° 55' 22.8"N, 76° 55' 58.2"W.

The permit is now amended to include:

To clear and maintain the gas line ROW within wetland KLF-Wetland04, converting 0.49 acre of Palustrine Forested (PFO) wetland to Palustrine Emergent (PEM) wetland. The permittee is responsible for construction of a 0.98 PEM to PFO wetland conversion as compensatory mitigation, located in Codorus Township, York County (Latitude: 39° 44' 23.3"; Longitude: -76° 48' 8.7"). This major amendment was issued on January 23, 2019.

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

E65-995, Derry Township Municipal Authority, P.O. Box 250, New Derry, PA 15671, Derry Township, **Washington County**, Pittsburgh ACOE District.

Has been given consent to:

1. Permanently impact 434 linear feet of stream, including 11 stream crossings. Streams impacted include Loyalhanna Creek (WWF), McCune Run (WWF), and unnamed tributaries to McCune Run.

2. Permanently impact 0.21 acre of wetland overall, including 9 wetland crossings. Wetland types impacted include PEM, PSS, and PFO.

For the purpose of extending an existing sanitary sewer line from Keystone State Park to New Alexandria. The project will include the installation of approximately 4,900 linear feet of 8-inch gravity sewer line leading from Keystone State Park to SR 981, a pump station along SR 981, and 9,500 linear feet of 6-inch force main line from the proposed pump station to the Borough of New Alexandria. Approximately 5,440 linear feet of additional gravity sewers are proposed along portions of Flowers Road and SR 981 to provide public sewage to existing homes. The project will serve Keystone State Park and adjacent areas in Derry Township. Mitigation for the project impacts will include restoration of stream and wetland crossings. Approximately 0.17 acre of PSS and PFO wetland will be converted to PEM wetland as part of

the project. Mitigation for the wetland conversion will include the creation of a 0.243 acre PSS/PFO wetland on-site.

The project site is located near Keystone State Park in Saltsburg and Latrobe, PA USGS topographic quadrangles. The sewer line begins near Greywing Community Park at 40° 23' 38.7"; -79° 25' 25.5" and ends near Keystone Lake at 40° 22' 29.69"; -79° 23' 45.93" (Sub-basin 18C; USACE Pittsburgh District), in Derry Township, Salem Township and New Alexandria Borough, Westmoreland County.

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

E25-788, Borough of North East, 31 West Main St., North East, PA 16428. Site II Wastewater Treatment Facility, North East Borough, **Erie County**, ACOE Pittsburgh District (North East, PA Quadrangle N: 42°, 14', 30.7"; W: -79°, 49', 59.7").

Construct and maintain a new 20-inch diameter force main wastewater conveyance pipe by horizontal directional drill beneath Sixteenmile Creek and Lake Erie with the outlet located approximately 2,700 feet into Lake Erie (North East, PA Quadrangle N: 42°, 14', 30.7"; W: -79°, 49', 59.7") in North East Township, Erie County.

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

E5929-077: Repsol Oil & Gas USA, 337 Daniel Zenker Drive, Horseheads, NY 14845, Ward and Sullivan Townships, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 912 square feet of an exceptional value palustrine forested (EV-PFO) wetland and 1,472 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41° 42' 03"N, 76° 58' 22"W);

(2) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 1,199 square feet of an exceptional value palustrine forested (EV-PFO) wetland, 321 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, and 49 linear feet of an unnamed tributary to Fall Brook (CWF) (Gleason, PA Quadrangle 41° 42' 09"N, 76° 58' 31"W);

(3) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 1,914 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41° 42' 14"N, 76° 58' 36"W);

(4) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 2,264 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41° 42' 15"N, 76° 58' 37"W);

(5) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 18,317 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41° 42' 19"N, 76° 58' 39"W);

(6) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 9,851 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41° 42' 22"N, 76° 58' 41"W);

(7) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 93 linear feet of an unnamed tributary to Fall Brook (CWF) (Gleason, PA Quadrangle 41° 42' 25"N, 76° 58' 42"W);

(8) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 3,637 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 39 linear feet of an unnamed tributary to Fall Brook (CWF) (Gleason, PA Quadrangle 41° 42' 36"N, 76° 58' 46"W);

(9) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 88 linear feet of an unnamed tributary to Fall Brook (CWF) (Gleason, PA Quadrangle 41° 42' 52"N, 76° 58' 43"W);

(10) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 945 square feet of an exceptional value palustrine forested (EV-PFO) wetland and 87 linear feet of an unnamed tributary to Fall Brook (CWF) (Gleason, PA Quadrangle 41° 43' 20"N, 76° 58' 19"W);

(11) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 90 linear feet of an unnamed tributary to Fall Brook (CWF) (Gleason, PA Quadrangle 41° 43' 22"N, 76° 58' 17"W);

(12) A temporary road crossing using timber matting impacting 175 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Gleason, PA Quadrangle 41° 43' 24"N, 76° 58' 16"W);

(13) A temporary road crossing using timber matting impacting 89 square feet of an exceptional value palustrine emergent (EV-PFO) wetland (Gleason, PA Quadrangle 41° 43' 24"N, 76° 58' 15"W);

(14) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 1,747 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland and 254 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41° 43' 30"N, 76° 58' 14"W);

(15) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 1,496 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Gleason, PA Quadrangle 41° 43' 33"N, 76° 58' 13"W);

(16) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 37 linear feet of an unnamed tributary to Fellows Creek (CWF) and 114 linear feet of another unnamed tributary to Fellows Creek (CWF) (Gleason, PA Quadrangle 41° 43' 42"N, 76° 57' 10"W);

(17) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 67 linear feet of an unnamed tributary to Fellows Creek (CWF) and 24 linear feet of another unnamed tributary to Fellows Creek (CWF) (Gleason, PA Quadrangle 41° 43' 43"N, 76° 57' 08"W);

(18) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 3,517 square feet of an exceptional value palustrine forest (EV-PFO) wetland, 69 linear feet of Fellows Creek (CWF), and 4 linear feet of another unnamed tributary to Fellows Creek (CWF) (Gleason, PA Quadrangle 41° 43' 48"N, 76° 56' 47"W);

(19) One 16 inch diameter gas pipeline and one 8 inch diameter waterline impacting 1,890 square feet of an

exceptional value palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41° 44' 10"N, 76° 56' 02"W);

(20) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 98 linear feet of Fellows Creek (CWF) (Gleason, PA Quadrangle 41° 44' 30"N, 76° 55' 50"W);

(21) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 3,731 square feet of an exceptional value palustrine forested (EV-PFO) wetland and 1,980 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41° 44' 36"N, 76° 55' 48"W);

(22) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 365 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Gleason, PA Quadrangle 41° 44' 38"N, 76° 55' 44"W);

(23) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 455 square feet of an exceptional value palustrine forest (EV-PFO) wetland, 1,105 square feet of an exceptional value palustrine emergent (EV-PEM) wetland, and 73 linear feet of another unnamed tributary to Fellows Creek (CWF) (Gleason, PA Quadrangle 41° 44' 49"N, 76° 55' 36"W);

(24) A temporary road crossing, a 16 inch diameter gas pipeline and an 8 inch diameter waterline impacting 95 linear feet of Fellows Creek (CWF) (Gleason, PA Quadrangle 41° 44' 54"N, 76° 55' 30"W).

The project will result in 1,027 linear feet of temporary stream impacts, 14,266 square feet (0.33 acre) of permanent wetland impacts, and 43,370 square feet (0.99 acre) of temporary wetland impacts all for the purpose of installing a natural gas pipeline and associated access roads in Ward and Sullivan Townships, Tioga County. The permittee will provide 0.64 acre of onsite wetland restoration for forested wetland impacts.

E5929-081: Eclipse Resources—PA, LP, 2121 Old Gatesburg Road, State College, PA 16803 Deerfield Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary road crossing using timber mats a 18 inch diameter waterline, a 3 inch diameter steel airline, and a 4 inch diameter PVC conduit for electrical and communication lines impacting 9,006 square feet of a 10+ acre palustrine emergent (PEM) wetland (Knoxville, PA Quadrangle 41° 57' 02"N, 77° 26' 24"W);

2) A temporary road crossing using timber mats a 18 inch diameter waterline, a 3 inch diameter steel airline, and a 4 inch diameter PVC conduit for electrical and communication lines impacting 5,199 square feet of a palustrine emergent (PEM) wetland (Knoxville, PA Quadrangle 41° 56' 55"N, 77° 26' 23"W);

3) A temporary road crossing using timber mats a 18 inch diameter waterline, a 3 inch diameter steel airline, and a 4 inch diameter PVC conduit for electrical and communication lines impacting 8 linear feet of an unnamed tributary to Cowanesque River (WWF) and 92 linear feet of another unnamed tributary to Cowanesque River (WWF) (Knoxville, PA Quadrangle 41° 56' 49"N, 77° 26' 23"W);

4) A temporary road crossing using timber mats a 18 inch diameter waterline, a 3 inch diameter steel airline, and a 4 inch diameter PVC conduit for electrical and communication lines impacting 5 linear feet of an un-

named tributary to Cowanesque River (WWF) (Knoxville, PA Quadrangle 41° 56' 49"N, 77° 26' 25"W).

The project will result in 105 linear feet of temporary stream impacts and 14,205 square feet (0.33 acre) of temporary wetland impacts all for the purpose of installing a waterline in Deerfield Township, Tioga County.

ENVIRONMENTAL ASSESSMENTS

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

EA43-50, City of Hermitage, 800 North Hermitage Road, Hermitage, PA 16148. Bobby Run Stream Restoration Project, in Hermitage City, **Mercer County**, ACOE Pittsburgh District (Sharon East, PA Quadrangle N: 41° 12', 9"; W: -80°, 27', 28").

The City of Hermitage is proposing to complete approximately 1,900 linear feet of Stream Restoration to Bobby Run. The project will consist of stabilizing eroding banks, creating additional floodplain areas, and construction and installation of rock, wood, and soil bank protection structures to manage flow energy and prevent scour within the stream channel. The project will be covered under a waiver 16.

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-3# ESG32913118-001

Applicant Name SWN Production Company, LLC

Contact Person Nicki Atkinson

Address 917 State Route 92 North

City, State, Zip Tunkhannock, PA 18657

County Wyoming

Township(s) North Branch Twp.

Receiving Stream(s) and Classification(s) Primary Watershed(s): Douglas Hollow (CWF, MF).

Secondary Watershed(s): North Branch Mehoopany Creek (CWF, 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.

7 ELEVEN 40156, 15-30781, 1165 West Chester Pike, West Goshen Township, **Chester County**. Aquaterra Technologies, Inc., P.O. Box 744 West Chester, PA 19381, on behalf of Sunoco (R&M), LLC, 3801 West Chester Pike, Newtown Square, PA 19073 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.

Neshaminy Manor Whse, 09-43458, 1265 Almshouse Rd., Doylestown Township, **Bucks County**. Pine Run Construction, 4125 Landisville Rd, Doylestown, PA 18902, on behalf of Neshaminy Manor Warehouse, 1265 Almshouse Road, Doylestown, PA submitted a SCR 310(b) concerning remediation of soil contaminated with diesel and unleaded gasoline. The report is intended to document remediation of the site to meet the residential Statewide health standard.

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

Hornbeck Chevrolet, Storage Tank ID # 58-23256, 400 Main Street, Forest City Borough, **Susquehanna County**. Aquaterra, P.O. Box 744, West Chester, PA 19381 on behalf of Hornbeck Chevrolet, 400 Main Street, Forest City, PA 18421, has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet Site-Specific Standards.

JW Sunoco, Storage Tank ID # 39-24150, 1845 West Liberty Street, Allentown City, **Lehigh County**. MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 on behalf of Service Electric Cable and Television Inc., 1045 Hamilton Street, Allentown, PA 18101 has submitted a Remedial Action Plan concerning remediation of groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet the Site-Specific Standards.

Fast Fill, Storage Tank ID # 13-07749, 24 Blakeslee Boulevard Drive (Route 443), Lehighon Borough, **Carbon County**. Synergy Environmental, 15 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Vista Fuels LLC, RR1, Box 58-16, Andreas, PA 18221 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.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information

concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

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

R & R Coastal, Facility ID # 09-32283, 290 West State Street, Doylestown Borough, **Bucks County**. Keith Valley Environmental, P.O. Box 5376, Deptford, NJ, on behalf of R&R Service Group, Inc., P.O. Box 646, Doylestown, PA submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Completion Report demonstrated attainment of the site-specific and Statewide health standards and was approved by the Department on January 25, 2019.

Sunoco 0004-9734, 51-32029, 5650 Ridge Avenue and Shurs Lane, City of Philadelphia, **Philadelphia County**. Aquaterra Technologies, Inc, P.O. Box 744, West Chester, PA 19381, on behalf of Sunoco Retail, LLC, c/o Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Completion Report concerning remediation of groundwater contaminated with petroleum and waste oil products. The Remedial Action Completion Report demonstrated attainment of the nonresidential, Statewide health standards and site specific standards and was approved by the Department on January 22, 2019.

7 ELEVEN 40460, 51-32488, 4601 Walnut St., **City of Philadelphia**. Aquaterra Technologies, Inc., 122 S Church St, West Chester, PA 19382, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803 submitted a Remedial Action Completion Report (RACR) concerning remediation of soil and groundwater contaminated with petroleum products. The RACR demonstrated attainment of the site specific standard and was approved by the Department on January 29, 2019.

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

Ralph's Service Center, 54-41154, 574 South Main Street, Nazareth Borough, **Northampton County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, submitted a combined Site Characterization Report and Remedial Action Plan on behalf of Ralph Murante, 403 Bushkill Center Road, Nazareth, PA 18064 concerning remediation of soils and groundwater contaminated with gasoline. The Site Characterization Report and Remedial Action Plan was acceptable to meet Site-Specific Standards for soils and Statewide Health Standards for groundwater and was approved by DEP on January 25, 2019.

Marshalls Creek Getty (Formerly Marshalls Creek Service), 45-37117 (45-16999), State Route 402 and State Route 209, Marshalls Creek, Smithfield Township, **Monroe County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, submitted a combined Site Characterization Report and Remedial Action Plan on behalf J&N Service Center, 2601 Milford Road, East Stroudsburg, PA 18301 concerning remediation of groundwater contaminated with gasoline. The Site Characterization Report and Remedial Action Plan was acceptable to meet Site-Specific Standards for groundwater and was approved by DEP with modifications on January 28, 2019.

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

PA Turnpike Commission, Bowmansville Service Plaza, 36-09241, Milepost 289.9 Eastbound, Brecknock Township, **Lancaster County**.

WSP, USA, 4 Westchester Park Drive, Suite 175, White Plains, NY 10604, on behalf of Cumberland Farms, Inc., 100 Crossing Boulevard, Framingham, MA 01702, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with multiple petroleum products. The Remedial Action Completion Report did not demonstrate attainment of a combination of Statewide Health Standard and Site-Specific Standard and was disapproved by the Department on January 23, 2019.

[Pa.B. Doc. No. 19-188. Filed for public inspection February 8, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of Technical Guidance

Technical guidance documents (TGD) are available on the Department of Environmental Protection's (Department) web site at <http://www.eLibrary.dep.state.pa.us>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final TGDs are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft TGDs.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download TGDs. When this option is not available, persons can order a paper copy of any of the Department's draft or final TGDs by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to TGDs

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Rescission of Technical Guidance

DEP ID: 273-4000-008. Title: Policy for Sampling and Determination of Compliance with Low RVP Gasoline Requirements in the Pittsburgh-Beaver Valley Ozone Non-Attainment Area. Description: The Department is rescinding this TGD because the regulation on which it is based, 25 Pa. Code Chapter 126, Subchapter C (relating to gasoline volatility requirements), is no longer applicable. On December 20, 2018, the United States Environmental Protection Agency (EPA) issued a final rule, effective January 22, 2019, approving a State Implementation Plan (SIP) revision submitted by the Department

to remove the gasoline volatility requirements for the Pittsburgh-Beaver Valley Area. Section 126.301(d) of 25 Pa. Code (relating to compliant fuel requirement) states that "this subchapter will no longer be applicable to the Pittsburgh-Beaver Valley Area upon the effective date of approval by the EPA of the removal, suspension or replacement of this subchapter as a part of the Commonwealth's SIP." The nonapplicability of the regulation eliminates the requirements for sampling of gasoline for compliance purposes described in the TGD.

Contact: Questions regarding this TGD should be directed to Samantha Harmon at saharmon@pa.gov or (717) 705-7686.

Effective Date: February 9, 2019

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-189. Filed for public inspection February 8, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Adult Blood Lead Epidemiology and Surveillance Program

Under 28 Pa. Code § 27.34(a)(2) (relating to reporting cases of lead poisoning), the Adult Blood Lead Epidemiology and Surveillance (ABLES) program, administered by the Department of Health's (Department) Bureau of Epidemiology, currently collects all blood lead test results for adults 16 years of age or older in this Commonwealth with a blood lead level (BLL) of 25 micrograms per deciliter ($\mu\text{g}/\text{dL}$). This information is used to report the number of adults in this Commonwealth with elevated BLLs and their source of lead exposure. Under 28 Pa. Code § 27.34(a)(2), an elevated BLL is defined by the National Institute for Occupational Safety and Health (NIOSH). The same regulation requires the Department to publish any NIOSH update to the definition of an elevated BLL.

As of 2015, NIOSH designated 5 $\mu\text{g}/\text{dL}$ of whole blood, in a venous blood sample, as the reference BLL for adults. An elevated BLL is defined as a $\text{BLL} \geq 5 \mu\text{g}/\text{dL}$. As of the date of this publication, the ABLES program will now utilize this definition and collect all blood lead test results for adults 16 years of age or older in this Commonwealth with a BLL of 5 $\mu\text{g}/\text{dL}$ or greater.

For additional information or persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) contact Anil Nair, Director, Division of Environmental Health Epidemiology, Bureau of Epidemiology, Department of Health, Room 933, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 787-3350, 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. 19-190. Filed for public inspection February 8, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Clepper Manor
959 East State Street
Sharon, PA 16146
FAC ID # 032902

Nugent Convalescent Home
500 Clarksville Road
Hermitage, PA 16148
FAC ID # 140702

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,
Secretary

[Pa.B. Doc. No. 19-191. Filed for public inspection February 8, 2019, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

PACE Expansion of the Living Independence for the Elderly Program to Multiple Counties

Living Independence for the Elderly (LIFE) Program is the Commonwealth's program under the Federal Program of All-inclusive Care for the Elderly (PACE). The Department of Human Services (Department) is planning to expand the LIFE Program to serve additional counties to satisfy participant needs and interest. The Department's goal is to have LIFE services available across all of this Commonwealth. The Department will solicit information from organizations interested in serving one or more of the following counties: Carbon, Monroe, Pike, Wayne, Susquehanna, Bradford, Sullivan, Tioga, Potter, Cameron, Elk, Jefferson, Clearfield, Centre and Fulton.

LIFE providers will be responsible to deliver specific services to individuals enrolled in the LIFE Program who

are eligible for Medical Assistance (MA) and are nursing facility clinically eligible. To become a LIFE provider, the organization must be enrolled in the MA Program, comply with Federal PACE regulations and adhere to the related PACE program agreements.

The Department will not provide any grant dollars or other payment for the initial development of a LIFE Program. Organizations responding to this notice (Responders) will be responsible for all costs both incurred to respond to this request and incurred in subsequent approval and development processes. The Department will not authorize enrollment of participants until: the PACE program agreements between the provider, the Centers for Medicare and Medicaid Services (CMS) and the Department have been signed; the selected Responder has executed an MA Provider Agreement; and the Commonwealth budget includes an allocation that is sufficient to support this expansion.

The Responder shall provide an electronic copy on a new USB drive and one original hard copy of the submission to the Department within 60 days of this publication. In addition, the Responder may submit a redacted copy of the submission for proprietary purposes.

Submission Requirements

The Responder must include in the submission the following and in the order listed. The Responder must label all documents clearly. A response from a partnership must be a single, unified document.

1. Cover Letter

An officer of the Responder authorized to contractually bind the organization shall submit a signed cover letter which commits to starting LIFE services within 18 months of notification by the Department. This letter should clearly specify the county or counties for which the Responder wishes consideration. Responders interested in more than one county shall rank each county in order of interest from most desirable to least desirable. For partnerships, a letter detailing a joint commitment to serve the area(s) is required from an officer of each partner.

2. Organizational Background

The Responder shall illustrate its history and experience and the experience of any parent organization in serving individuals qualified for the PACE program and in developing long-term services and supports projects. The Responder shall also identify each of the members of its corporate governing board, their responsibilities and their relationship to any parent organization. It shall identify the proposed management team for the proposed project.

Each Responder, its parent corporation and (if applicable) other PACE programs associated with the Responder shall be in good standing with the Department and CMS.

Responders shall provide copies of any reports, penalties or restrictions issued for a period of 2 years prior to the date of this notice by CMS, the Department or other governmental agencies on any PACE Provider Organization associated with the Responder. The Responder gives the Department the right to contact CMS, any other state's PACE administrator and other governmental agencies in regard to the Responder's performance. The Department must be satisfied that any deficiencies have been, or are being, corrected and that the deficiency is unlikely to recur.

3. Feasibility Study

The Responder shall provide the Department with a feasibility study (including a market and financial assessment) of the project showing the number of PACE-eligible citizens in the service area and the expected growth of enrollment by month for at least the first 2 years of operation. The study must be conducted by an approved PACE Technical Assistance Center which can be found at <https://www.npaonline.org/start-pace-program/pace-technical-assistance-centers-tacs>. The Responder shall provide a complete copy of the study or the submission will be rejected.

The feasibility study must address at least the following and provide evidence and examples to support any claims:

- The realistic demand for the PACE services in the proposed service area. The analysis must cite the sources and years of the data used, the calculations and rationale to estimate the PACE-eligible population, and must provide comparison to successful PACE programs in similar regions, Nationally or in this Commonwealth. The analysis cannot assume that the program will achieve substantial market penetration in the early years or be a market leader, that is reaching 15-16%, without substantial proof.
- The Responder's experience in programs having principles consistent with the PACE model, and the Responder's depth of leadership and experience required to address the challenges in developing a sustainable PACE program.
- The Responder's experience with primary, acute or long-term care services and demonstrated capability in serving a Medicare and Medicaid-eligible population.
- The financial capacity to fund program development, assume financial risk and fund risk reserve to and through the sustainability point. This shall include a 2-year start-up budget showing the following:
 - a) Monthly enrollment growth projections.
 - b) Costs of operations, including marketing and advertising.
 - c) Sources of funding, both initial start-up and periodic infusions.
 - d) The break-even census number and month, plus the desired maximum census.
- A project design that incorporates a new or existing LIFE center and describes the service plan and staffing ratios at or above PACE best practices. The project design must also describe transportation for the participants and 24-hour service capability.
- The Responder's accessibility to nursing facilities, home and community-based services, hospitals and other needs of this population.

4. Service Area

Responders shall describe the service area (by zip codes or county boundaries, or both), the estimated number of PACE-eligibles, geography, demographics and the realistic annual enrollment expected over the first 2 years. A map showing travel times to the LIFE center and to critical health care and other contracted facilities should be included.

5. Marketing Plan

Responders shall illustrate the outreach methods, the advertising methods and schedules, and follow-up schedules. Responders shall also illustrate and document any

contracts and commitments that are already in place with aging organizations, medical and service providers, community leaders and the like (examples: marketing professionals on staff who have successfully started and sustained a PACE-like program; uniqueness in project design or outcomes expected; eliminating or downsizing nursing facility beds; improving the quality of collaborations with hospitals, personal service and medical providers, housing sources and builders; and incorporating innovative referral and marketing methods).

6. *Implementation Plan*

Responders shall show an ability to provide services to potential participants within 18 months of receiving formal notification of selection from the Department. Details of the implementation plan shall include the level of construction needed for the site and whether a design firm or contractor has been consulted and provide the firm(s) names for projects that include a new LIFE center. Responders shall describe the staffing plan and whether a set of professionals and others has been surveyed for interest in serving the program. The implementation plan shall also explain how operational needs will be managed 24 hours a day. Further, the selected Responder must adhere to milestones established by the Department. The Department will terminate a project which is not executed in a timely manner. The Department will not authorize participant enrollment until the PACE program agreements between the provider, CMS and the Department have been signed, an executed MA Provider Agreement is in place and the Commonwealth budget allocation is sufficient to support this expansion. Responders are responsible for ensuring all PACE program agreements are signed and a Medicaid provider enrollment has been successfully completed.

7. *Financial Viability and Commitment*

Responders shall provide realistic, justified and attainable detailed financial projections (including resources for consulting, acquisition of space, acquisition of equipment, vans, working capital and solvency reserves), and enrollment census projections for at least 2 years. If applicable, the Responder shall provide evidence that the organization has been successful with similar operations. The Responder shall provide a letter of commitment from the board of directors, signed by an officer of the organization authorized to contractually bind the organization, to fund the project through the break-even point. In addition, the Responder shall provide documentation of a risk reserve that will provide for sustainability. The Responder shall provide the last 2 years of audited financial statements. If external financing is needed, provide a letter of intent from the lender.

Evaluation of Submissions

The Department will evaluate the responses. The Department reserves the right to investigate any claims made or information provided. The Department also reserves the right of final approval or to reject a submission or to modify and reissue this solicitation. If selected, the Responder will be required to complete additional steps, such as submission of a formal CMS application.

Partnering in submissions is allowable; however, each Responder must provide a letter of commitment authorized by their board of directors, which is signed by an officer of the organization authorized to contractually bind the organization. Partnering in a submission does not limit an organization's ability to submit independently. Partnership responses must be submitted as a single submission, address the entire county and have

clear definitions of the partners' responsibilities. Partners share responsibility for serving the entire county (or a defined portion), although each shall cover a unique service area. The LIFE participants in each area must receive equal quality, quantity and variety of services. The proposal must contain commitments from each partner that, if a partner falters or becomes financially unstable, the other(s) will absorb that service area and serve those participants. Submittals not describing the entire county and committing to a specific area will be rejected.

Fiscal Impact

There is no fiscal impact anticipated in Fiscal Year (FY) 2018-2019. The fiscal impact for FY 2019-2020 and subsequent years cannot be determined at this time. The fiscal impact will be limited to the amount permitted by the funds appropriated by the General Appropriations Act for the fiscal year.

Submission of Information

Submissions must be provided on a new USB drive and in one hard-copy binder. The USB drive submission must be in text-searchable PDF format, except for maps and audited financial information. The submission must be addressed to the Department of Human Services, Office of Long-Term Living, Office of Chief of Staff, Attention: Jonathan Bowman, P.O. Box 8025, Harrisburg, PA 17105-8025. The Department must receive the submission within 60 days of this publication or the submission will be rejected. Questions regarding this notice should be submitted to the Department at ra-pwlife@pa.gov.

Persons with a disability who require an auxiliary aid or service may submit questions using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1310. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 19-192. Filed for public inspection February 8, 2019, 9:00 a.m.]

DEPARTMENT OF STATE

Bureau of Corporations and Charitable Organizations; Official Forms

The Department of State (Department), Bureau of Corporations and Charitable Organizations (Bureau) proposes to amend 19 Pa. Code Appendix C (relating to official forms), to read as set forth in Annex A.

A. *Effective Date*

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

B. *Statutory Authority*

The Department has the authority to promulgate Bureau sample forms and instructions under 15 Pa.C.S. § 133 (relating to powers of Department of State). Section 133(a)(1) of 15 Pa.C.S. specifies that sample filing forms shall not be agency regulations and are therefore explicitly excluded from the requirements of section 612 of The Administrative Code of 1929 (71 P.S. § 232) and review under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506) and the Regulatory Review Act (71

P.S. §§ 745.1—745.14). Section 133(a)(1) of 15 Pa.C.S. does, however, require that the forms and instructions be subject to the opportunity for public comment under section 201 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1201), known as the Commonwealth Documents Law (CDL).

C. *Description of Proposed Revisions*

This proposal revises one of the existing forms and instructions promulgated by the Department and currently published in the *Pennsylvania Code*.

Form DSCB: 15-8221/8998 (Certificate of Annual Registration)

This form is updated every 3 years to reflect the change in base annual registration fees payable by limited liability partnerships, limited liability limited partnerships and restricted professional companies in accordance with 15 Pa.C.S. § 8221(b) and § 8998(b) (relating to annual registration). Fee increases have taken place on December 31, 1997; December 31, 2000; December 31, 2003; December 31, 2006; December 31, 2009; December 31, 2012; December 31, 2015; and most recently on December 31, 2018.

The previously-referenced form and instructions, which are currently published in 19 Pa. Code Appendix C, are being deleted and replaced with the revised form set forth in Annex A. Even though Rule 2.12(a) of the *Pennsylvania Code and Bulletin Style Manual* recommends that forms be referenced in regulations rather than adopted in

regulations, 15 Pa.C.S. § 133 requires that the forms and instructions be published in the *Pennsylvania Code*.

D. *Fiscal Impact*

Although this proposal would have no measurable fiscal impact upon the Commonwealth, its political subdivisions or the private sector, a formal fiscal analysis was not conducted because this form is exempt from the requirements of section 612 of The Administrative Code of 1929.

E. *Paperwork Requirements*

This proposal would not create new paperwork.

F. *Regulatory Review*

Under 15 Pa.C.S. § 133(a), sample forms are exempt from the requirements of the Regulatory Review Act but shall be subject to the opportunity of public comment requirement under section 201 of the CDL.

G. *Public Comment*

Under 15 Pa.C.S. § 133(a)(1), which requires that publication of Bureau forms be subject to the opportunity for public comment, the Department invites interested persons to submit written comments, suggestions or objections regarding this proposal to Martha H. Brown, Assistant Counsel, Department of State, 306 North Office Building, Harrisburg, PA 17120 within 30 days following publication of this notice in the *Pennsylvania Bulletin*. Reference “Bureau of Corporations and Charitable Organizations—Official Forms” when submitting comments.

KATHY BOOCKVAR,
Acting Secretary

DSCB:15-8221/8998 - Instructions

**Pennsylvania Department of State
Bureau of Corporations and Charitable Organizations
P.O. Box 8722
Harrisburg, PA 17105-8722
(717) 787-1057
Website: www.dos.pa.gov/corps**

General Instructions

Typewritten is preferred. If handwritten, the form must be legible and completed in black or blue-black ink in order to permit reproduction.

The nonrefundable filing fee for this form depends on the type of organization and how many general partners (for LLPs and LLLPs) or members (for professional LLCs). Checks should be made payable to the Department of State. Checks must contain a commercially pre-printed name and address.

This form and all accompanying documents shall be mailed to the address stated above.

Who should file this form?

Any domestic or foreign limited liability partnership (LLP), limited liability limited partnership (LLLP) and any domestic or foreign restricted professional company (PLLC) in existence on December 31 of any year is required to file a Certificate of Annual Registration. This form and the corresponding annual registration fee must be filed on or before April 15 of each year following the year with respect to which it is being filed.

This form is *only* for limited liability partnerships, limited liability limited partnerships and restricted professional companies. It is *not* for limited liability companies which do not render restricted professional services (see **definitions** below).

Definitions

A **limited liability partnership** is any domestic general partnership which has elected limited liability status with a registration under section 8201(a) (relating to scope) or any foreign general partnership which has registered under section 412 (relating to foreign registration statement).

A **limited liability limited partnership** is any domestic limited partnership which has elected limited liability status with a registration under section 8201(a) (relating to scope) or any foreign limited partnership which has registered under section 412 (relating to foreign registration statement).

A **restricted professional company** is a limited liability company that renders one or more restricted professional services.

Restricted professional services are the following professional services: chiropractic, dentistry, law, medicine and surgery, optometry, osteopathic medicine and surgery, podiatric medicine, public accounting, psychology or veterinary medicine.

Form Instructions

Enter the name and mailing address to which any correspondence regarding this filing should be sent. This field must be completed for the Bureau to return the filing. If the filing is to be returned by email, an email address must be provided. An email will be sent to address provided, containing a link and instructions on how a copy of the filed document or correspondence may be downloaded. Any email or mailing addresses provided on this form will become part of the filed document and therefore public record.

1. Give the exact name of the limited liability partnership/limited liability limited partnership/restricted professional company. The name on this line must match exactly the association name as shown in Department's records at the time the Certificate of Annual Registration is submitted for filing. **This field is required.**

2. To be completed by **Limited Liability Partnerships/Limited Liability Limited Partnerships only.**

Fill in the number of persons who were general partners of the partnership on December 31 and the year to which that number relates. The annual fee is required to be paid only with respect to a general partner who:

- a. In the case of a natural person, had his principal residence in Pennsylvania on December 31, or
- b. In the case of any other person, was incorporated or otherwise organized or existing under the laws of Pennsylvania on December 31. See §8221(b)(1).

The nonrefundable annual fee of \$380 times the number of persons who were general partners of the partnership on December 31 shall accompany this form and shall be made payable to the Department of State. The base fee was increased to \$380 on December 31, 2018. See §8221(b)(2). Failure to file the annual registration by April 15 will result in a lien on the assets of the partnership. If a certificate of annual registration is not filed by May 15, a penalty of \$500 will be assessed against the partnership, which will create a second lien on the assets of the partnership.

Failure to file the certificate of annual registration for five consecutive years will result in the automatic termination of the status of a *domestic* limited liability partnership or limited liability limited partnership as such. Failure to file the certificate of annual registration for five consecutive years will result in the automatic termination of the registration of a *foreign* limited liability partnership or limited liability limited partnership.

3. To be completed by Restricted Professional Companies only.

The certificate of annual registration must include a statement by the company as to whether or not it engaged in any business not permitted by section 8996(a) (relating to purposes of restricted professional companies) during the year with respect to which the certificate is being filed.

§ 8996. Restrictions.

(a) Purposes of restricted professional companies. --

A restricted professional company shall not engage in any business other than conducting the practice of the restricted professional service or services for which it was specifically organized, except that a restricted professional company may:

(1) Own real and personal property necessary for or appropriate or desirable in the fulfillment or rendering of its specific restricted professional service or services and it may invest its funds in real estate, mortgages, stocks, bonds or any other type of investment.

(2) Be a partner, shareholder, member or other owner of a partnership, corporation, limited liability company or other association engaged in the business of rendering the restricted professional service or services for which the restricted professional company was organized.

4. To be completed by Restricted Professional Companies only.

Fill in the number of persons who were members of the company on December 31 and the year to which that number relates. The annual fee is required to be paid only with respect to a member who:

- a. Was licensed to practice the professional service rendered by the company on December 31; and
- b. Had principal residence in Pennsylvania on December 31. See §8998(b)(1).

The nonrefundable annual fee of \$560 times the number of persons who were members of the company on December 31 shall accompany this form and shall be made payable to the Department of State. The base fee was increased to \$560 on December 31, 2018. See §8998(b)(2). Failure to file the annual registration by April 15 will result in a lien on the assets of the company. If a certificate of annual registration is not filed by May 15, a penalty of \$500 will be assessed against the company, which will create a second lien on the assets of the company.

Signature and Verification

An authorized representative of the limited liability partnership, limited liability limited partnership or restricted professional company must sign the Certificate of Annual Registration. Signing a document delivered to the Department for filing is an affirmation under the penalties provided in 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) that the facts stated in the document are true in all material respects. **This field is required.**

[Pa.B. Doc. No. 19-193. Filed for public inspection February 8, 2019, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Meeting Cancellation

The February 19, 2019, meeting of the Environmental Quality Board (Board) is cancelled. The next regular meeting of the Board is tentatively scheduled for Tuesday, March 19, 2019, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the Board's next scheduled meeting may be directed to Laura Edinger at ledinger@pa.gov or (717) 783-8727. The agenda and meeting materials for all Board meetings will be available on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Environmental Quality Board (EQB)").

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

PATRICK McDONNELL,
Chairperson

[Pa.B. Doc. No. 19-194. Filed for public inspection February 8, 2019, 9:00 a.m.]

GAME COMMISSION

Resolution of the Board of Commissioners

Whereas, the State Employees' Retirement Code (71 Pa.C.S. § 5101 et seq.) governs the administration and operation of the Pennsylvania State Employees' Retirement System, one of the nation's oldest and largest statewide retirement plans for public employees; and

Whereas, Section 5102 of the State Employees' Retirement Code (71 Pa.C.S. § 5102 (relating to definitions)) defines the terms "superannuation age," "state police officer," "correction officer" and "enforcement officer" in a manner to allow certain types of Commonwealth law enforcement personnel to retire at ages 50 or 55, whichever may be applicable, after 20 years of service, rather than the default at age 60 or after 35 years of service; and

Whereas, The types of Commonwealth law enforcement personnel eligible for the early retirement allowances includes: any officer or member of the Pennsylvania State Police, correction officers employed by the Department of Corrections or the Department of Human Services (formerly Department of Public Welfare), Delaware River Port Authority policemen, park rangers employed by the Department of Conservation and Natural Resources, Capitol police officers, certain officers and investigators of

the Pennsylvania Liquor Control Board, certain agents and employees of the Office of Attorney General, certain agents of the Pennsylvania Board of Probation and Parole and also waterways conservation officers and other commissioned law enforcement personnel employed by the Pennsylvania Fish and Boat Commission; and

Whereas, The types of Commonwealth law enforcement personnel eligible for the early retirement allowances does not currently include game wardens and other commissioned law enforcement personnel employed by the Pennsylvania Game Commission; and

Whereas, Since 2000, both houses of the General Assembly have together introduced no less than 17 legislative bills aimed at amending the definition of “enforcement officer” to include game wardens (Game Commission officers) and other commissioned law enforcement personnel employed by the Pennsylvania Game Commission to bring these officers in parity with the other forms of law enforcement officers employed by the Commonwealth of Pennsylvania on matters related to retirement; and

Whereas, Despite steadfast and widespread support for parity, such legislation has not yet received successful passage into law.

Now Therefore, Be It Resolved, that the Board of Commissioners of the Pennsylvania Game Commission does hereby support the General Assembly in giving further consideration of this matter through its future introduction of legislation aimed at amending the definition of “enforcement officer” in Section 5102 of the State Employees’ Retirement Code to include game wardens (Game Commission officers) and other commissioned law enforcement personnel employed by the Pennsylvania Game Commission.

Given under the hand and seal of the Board of Commissioners of the Pennsylvania Game Commission on this 29th day of January, 2019.

TIMOTHY S. LAYTON,
President

[Pa.B. Doc. No. 19-195. Filed for public inspection February 8, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Tawanda Brown; License Denial Appeal; Doc. No. AG19-01-012

Under Article VI-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.1—310.99a), Tawanda Brown has appealed the denial of an application for an insurance producer’s license. The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for March 7, 2019, at 9:30 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before March 5, 2019. A hearing shall occur on March 21, 2019, at 9:30 a.m. in the Administrative Hearings

Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Protests, petitions to intervene or notices of intervention, if any, must be filed on or before February 21, 2019, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to protests, petitions to intervene or notices of intervention, if any shall be filed on or before March 5, 2019.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing, should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-196. Filed for public inspection February 8, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

RiverSource Life Insurance Company; Rate Increase Filing for LTC Form 30240-PA (AERS-131727191)

RiverSource Life Insurance Company is requesting approval to increase the premium 14.3% on 563 policyholders with LTC form 30240-PA.

Unless formal administrative action is taken prior to April 25, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) web site at www.insurance.pa.gov (hover the cursor over the “Consumers” tab, then select “Long Term Care Rate Filings”).

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department’s Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-197. Filed for public inspection February 8, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

RiverSource Life Insurance Company; Rate Increase Filing for Several Individual LTC Forms (AERS-131727379)

RiverSource Life Insurance Company is requesting approval to increase the premium 57.8% on 2,530 policyholders with LTC forms 30225-PA, 30225-PA1 and 30225A-PA1.

Unless formal administrative action is taken prior to April 25, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-198. Filed for public inspection February 8, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Indirect Minority Ownership Change

A-2019-3007510. GC Pivotal, LLC, d/b/a Global Capacity. Application of GC Pivotal, LLC, d/b/a Global Capacity, for approval of a change in indirect minority ownership.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before February 25, 2019. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: GC Pivotal, LLC, d/b/a Global Capacity

Through and By Counsel: Anthony C. DeCusatis, Esquire, Catherine G. Vasudevan, Esquire, Morgan, Lewis & Bockius, LLP, 1701 Market Street, Philadelphia, PA 19103-2921

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-199. Filed for public inspection February 8, 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 25, 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-2018-3004968. G&B's Tour II, LLC (532 Seneca Street, Harrisburg, Dauphin County, PA 17110) in paratransit service, from points in Cumberland and Dauphin Counties, to points in Pennsylvania, and return.

A-2018-3005188. Rapid Limo, LLC (334 Taylors Mill Road, West Chester, Chester County, PA 19380) in limousine service, between points in the Counties of Chester, Delaware, Lancaster and Montgomery.

A-2019-3007040. Here 4U Transport, LLC (700 Walnut Street, Darby, Delaware County, PA 19023) in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2019-3007400. Eagle Ride, Inc. (368 East Shedaker Street, Philadelphia, Philadelphia County, PA 19144) in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2019-3007406. Fortune Transportation Group, LLC (1818 Jericho Road, Warrington, Bucks County, PA 18976) in limousine service, between points in Pennsylvania. *Attorney:* David P. Temple, 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

A-2019-3007422. Mark D. and Marlene A. Heintzelman, tenants by entirety, t/a M. Heintzelman Transport (510 Oliver Court, Belleville, Mifflin County, PA 17004) in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Mifflin County, to points in Pennsylvania, and return.

Applications of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.*

A-2019-3007169. Elate Moving, LLC (1515 Market Street # 1200, Philadelphia, Philadelphia County, PA 19102) household goods in use, between points in Pennsylvania.

A-2019-3007379. Arca Fine Art Services, LLC (131 East 9th Avenue, Homestead, Allegheny County, PA 15120) household goods in use, limited to shipments of fine art, between points in Pennsylvania.

Application of the following for the approval of the right and privilege to *discontinue/abandon* operating as *common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2019-3007485. Haines & Harvey Van Service, LLC (26 Main Street, Denver, Lancaster County, PA 17517) paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-200. Filed for public inspection February 8, 2019, 9:00 a.m.]

**PENNSYLVANIA PUBLIC
UTILITY COMMISSION**

Telecommunications

A-2019-3007536. Commonwealth Telephone Company, LLC and Southern Light, LLC. Joint petition of Commonwealth Telephone Company, LLC and Southern Light, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Commonwealth Telephone Company, LLC and Southern Light, LLC, by their counsel, filed on January 30, 2019, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Comments are due on or before 10 days after the date of publication of this notice. The documents filed in support of Commonwealth Telephone Company, LLC and Southern Light, LLC joint petition are available for

inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at www.puc.pa.gov and at the applicant's business address.

The contact person is Kathryn Sophy, Director, Office of Special Assistants, (717) 787-8108.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-201. Filed for public inspection February 8, 2019, 9:00 a.m.]

STATE BOARD OF PHARMACY

Cancer Drug Repository Program; Income Limits for Eligibility

In accordance with 49 Pa. Code § 27.506 (relating to patient eligibility), the State Board of Pharmacy is hereby providing notice that to participate in the Cancer Drug Repository Program in 2019, a patient's 2018 income cannot have exceeded the following limits:

Current Income Levels for the Cancer Drug Repository Program

<i>Family Size</i>	<i>2018 Annual Income Limit</i>
1	\$42,490
2	\$57,610
3	\$72,730
4	\$87,850
5	\$102,970
6	\$118,090
7	\$133,210
8	\$148,330
Each Additional Person	\$15,120

THERESA M. TALBOTT, RPh,
Chairperson

[Pa.B. Doc. No. 19-202. Filed for public inspection February 8, 2019, 9:00 a.m.]

