

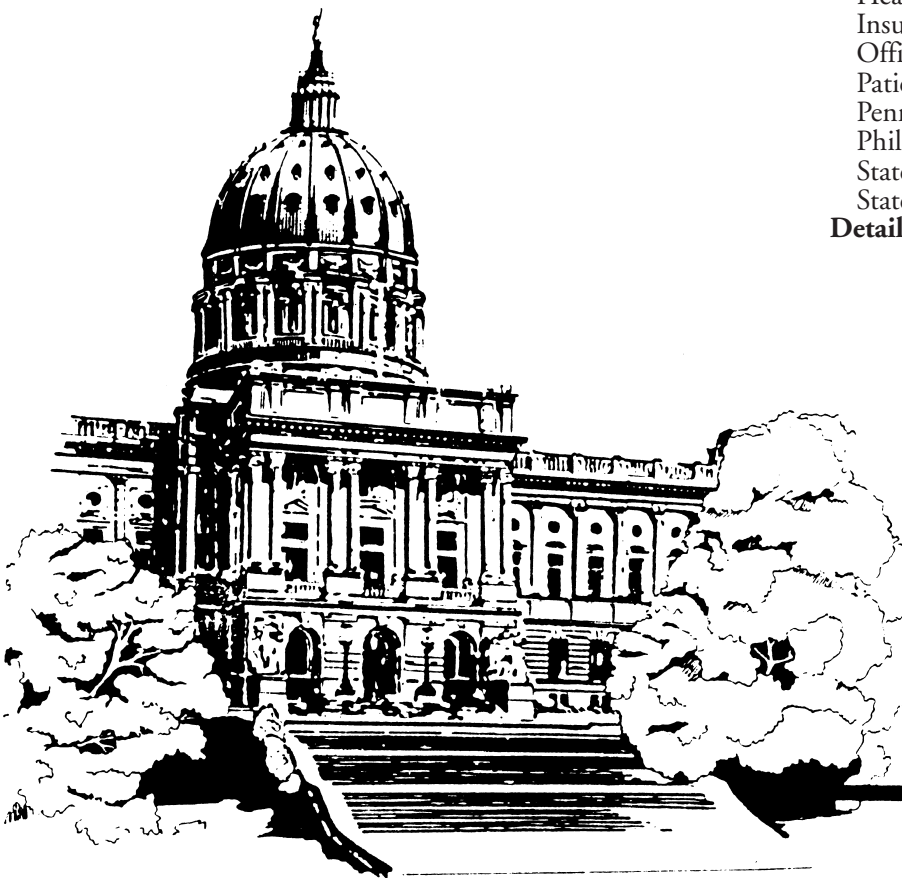
PENNSYLVANIA BULLETIN

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Agencies in this issue

The Courts
Department of Agriculture
Department of Banking and Securities
Department of Environmental Protection
Department of Revenue
Executive Board
Health Care Cost Containment Council
Insurance Department
Office of Administration
Patient Safety Authority
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
State Board of Optometry
State Conservation Commission

Detailed list of contents appears inside.



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

No. 532, March 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.

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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)

Adopted Rules

1	438
5	438
6	593

Statements of Policy

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49 Pa. Code (Professional and Vocational Standards)

Proposed Rules

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52 Pa. Code (Public Utilities)

Adopted Rules

29	455
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Statements of Policy

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204 Pa. Code (Judicial System General Provisions)

Adopted Rules

71	705, 824
81	824
83	824, 915
89	443
93	443

210 Pa. Code (Appellate Procedure)

Adopted Rules

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Proposed Rules

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21	825
35	602

225 Pa. Code (Rules of Evidence)

Proposed Rules

Article IX	165
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231 Pa. Code (Rules of Civil Procedure)

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Proposed Rules

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234 Pa. Code (Rules of Criminal Procedure)

Adopted Rules

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Proposed Rules

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237 Pa. Code (Juvenile Rules)

Adopted Rules

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3	916
5	208, 610, 916
11	208, 610

255 Pa. Code (Local Court Rules)

Unclassified 12, 13, 14, 214, 215, 216, 274, 380, 445, 446, 453, 616, 619, 706, 707, 838, 917, 918, 919, 920	
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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

[204 PA. CODE CH. 83]

Amendment of Rule 208 of the Pennsylvania Rules of Disciplinary Enforcement; No. 174 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 15th day of February, 2019, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania; the proposal having been published for comment in the *Pennsylvania Bulletin*, 48 Pa.B. 5830 (September 22, 2018):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 208 of the Pennsylvania Rules of Disciplinary Enforcement is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter B. MISCONDUCT

Rule 208. Procedure.

* * * * *

(g) *Costs.*—

(1) The Supreme Court in its discretion may direct that the necessary expenses incurred in the investigation and prosecution of a proceeding which results in the imposition of discipline shall be paid by the respondent-attorney. All expenses taxed under this paragraph pursuant to orders of suspension that are not stayed in their entirety or disbarment shall be paid by the respondent-attorney within 30 days after notice transmitted to the respondent-attorney of taxed expenses. In all other cases, expenses taxed under this paragraph shall be paid by the respondent-attorney within 30 days of entry of the order taxing the expenses against the respondent-attorney.

(2) In the event a proceeding is concluded by informal admonition, private reprimand or public reprimand, the Board in its discretion may direct that the necessary expenses incurred in the investigation and prosecution of the proceeding shall be paid by the respondent-attorney. All expenses taxed by the Board under this paragraph shall be paid by the respondent-attorney within 30 days

of entry of the order taxing the expenses against the respondent-attorney. The expenses which shall be taxable under this paragraph shall be prescribed by Board rules.

(3) Failure to pay taxed expenses within 30 days after the date of the entry of the order taxing such expenses in cases other than a suspension that is not stayed in its entirety or disbarment will be deemed a request to be administratively suspended pursuant to Rule 219(1).

(4) In addition to the payment of any expenses under paragraph (1) or (2), the respondent-attorney shall pay upon final order of discipline an administrative fee pursuant to the following schedule:

Informal Admonition:	\$250
Private Reprimand:	\$400
Public Reprimand:	\$500
Public Censure:	\$750
Suspension (1 year or less):	\$1,000
Suspension (more than 1 year):	\$1,500
Disbarment:	\$2,000
Disbarment on Consent:	\$1,000
Transfer to Inactive Status following discipline	\$1,000

(i) Where a disciplinary proceeding concludes by Joint Petition for Discipline on Consent other than disbarment prior to the commencement of the hearing, the fee imposed shall be reduced by 50%.

(ii) Where a disciplinary proceeding concludes by Joint Petition for Discipline on Consent other than disbarment subsequent to the commencement of the hearing, the Board in its discretion may reduce the fee by no more than 50%.

(5) Assessed Penalties on Unpaid Taxed Expenses and Administrative Fees.

(i) Failure to pay taxed expenses within thirty days of the assessment becoming final in accordance with subdivisions (g)(1) and (g)(2) and/or failure to pay administrative fees assessed in accordance with subdivision (g)(4) within thirty days of notice transmitted to the respondent-attorney shall result in the assessment of a penalty, levied monthly at the rate of 0.8% of the unpaid principal balance, or such other rate as established by the Supreme Court of Pennsylvania, from time to time.

(ii) Monthly penalties shall not be retroactively assessed against unpaid balances existing prior to the enactment of the rule; monthly penalties shall be assessed against these unpaid balances prospectively, starting 30 days after the effective date of the rule.

(iii) The Disciplinary Board for good cause shown, may reduce the penalty or waive it in its entirety.

* * * * *

[Pa.B. Doc. No. 19-282. Filed for public inspection March 1, 2019, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 3 AND 5]

Order Approving the Amendment of Rules 330, 337 and 515 of the Pennsylvania Rules of Juvenile Court Procedure; No. 791 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 13th day of February, 2019, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3):

It is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 330, 337, and 515 of the Pennsylvania Rules of Juvenile Court Procedure are amended in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on June 28, 2019.

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 3. PRE-ADJUDICATORY PROCEDURES

PART C. PETITION

Rule 330. Petition: Filing, Contents, Function.

* * * * *

C. *Petition* [**contents**] **Contents**. Every petition shall set forth plainly:

* * * * *

15) an averment as to whether the case is eligible pursuant to 42 Pa.C.S. § [**6307(b)(1)(ii)**] **6307(b)(1.1)(ii)** for limited public information.

* * * * *

Official Note: Rule 330 adopted April 1, 2005, effective October 1, 2005[; amended]. **Amended** August 20, 2007, effective December 1, 2007. Amended January 23, 2009, effective March 1, 2009. Amended December 24, 2009, effective immediately. **Amended February 13, 2019, effective June 28, 2019.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 330 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 330 published with the Court's Order at 37 Pa.B. 4866 (September 8, 2007).

Final Report explaining the amendments to Rule 330 published with the Court's Order at 39 Pa.B. 676 (February 7, 2009).

Final Report explaining the amendments to Rule 330 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 330 published with the Court's Order at 49 Pa.B. 916 (March 2, 2019).

Rule 337. Filing of Petition after Case has been Transferred from Criminal Proceedings.

* * * * *

C. *Conversion of criminal complaint*. The criminal complaint shall be converted into a petition when supplemented with the following information and filed with the clerk of courts pursuant to Rule 330(B):

- 1) the juvenile's date of birth;
- 2) the names and ages of any conspirators, if known;
- 3) the name and address of the juvenile's guardian, or if unknown, the name and address of the nearest adult relative;
- 4) whether the case is eligible pursuant to 42 Pa.C.S. § [**6307(b)(1)(i)**] **6307(b)(1.1)(ii)** for limited public information; and

* * * * *

Official Note: Rule 337 adopted July 31, 2012, effective November 1, 2012. **Amended February 13, 2019, effective June 28, 2019.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 337 published with the Court's Order at 42 Pa.B. 5350 (August 18, 2012).

Final Report explaining the amendments to Rule 337 published with the Court's Order at 49 Pa.B. 916 (March 2, 2019).

CHAPTER 5. DISPOSITIONAL HEARING

PART B. DISPOSITIONAL HEARING AND AIDS

Rule 515. Dispositional Order.

A. *Generally*. When the court enters a disposition after an adjudication of delinquency pursuant to Rule 409(A)(2), the court shall issue a written order, which provides balanced attention to the protection of the community, accountability for the offenses committed, and development of the juvenile's competencies to enable the juvenile to become a responsible and productive member of the community. The order shall include:

- 1) the court's findings pursuant to Rule 512(D);
- 2) a designation whether the case is eligible pursuant to 42 Pa.C.S. § [**6307(b)(1)(i)**] **6307(b)(1.1)(i)** for limited public information;

* * * * *

Comment

Pursuant to paragraph (A)(2), the court is to determine if the case is eligible for limited public information under the requirements of 42 Pa.C.S. § [**6307(b)(1)(i)**] **6307(b)(1.1)(i)**. See 42 Pa.C.S. § 6307(b)(2). When the case is designated, the clerk of courts is to mark the file clearly. For information that is available to the public in those eligible cases, see Rule 160.

* * * * *

Official Note: Rule 515 adopted April 1, 2005, effective October 1, 2005. Amended August 20, 2007, effective December 1, 2007. Amended July 28, 2009, effective immediately. Amended December 24, 2009, effective immediately. Amended April 29, 2011, effective July 1, 2011. **Amended February 13, 2019, effective June 28, 2019.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 515 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 515 published with the Court's Order at 37 Pa.B. 4866 (September 8, 2007).

Final Report explaining the amendment to Rule 515 published with the Court's Order at 39 Pa.B. 4743 (August 8, 2009).

Final Report explaining the amendments to Rule 515 published with the Court's Order at 40 Pa.B. 222 (January 9, 2010).

Final Report explaining the amendments to Rule 515 published with the Courts Order at 41 Pa.B. 2413 (May 14, 2011).

Final Report explaining the amendments to Rule 515 published with the Court's Order at 49 Pa.B. 916 (March 2, 2019).

FINAL REPORT¹**Amendment of Pa.R.J.C.P. 330, 337, and 515**

On February 13, 2019, the Supreme Court amended Rules of Juvenile Court Procedure 330, 337, and 515 to update statutory references as a result of the Act of June 28, 2018, P.L. 402 concerning the "clean slate" program for limiting public access to certain criminal history. The amendment will become effective June 28, 2019 to coincide with the effective date of the Act amending 42 Pa.C.S. § 6307.

[Pa.B. Doc. No. 19-283. Filed for public inspection March 1, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES**BUCKS COUNTY**

Venue Transfer of Pennsylvania State Police Traffic Filings—Interstate 95 and Interstate 295 between the Boundaries of the State of New Jersey, City of Philadelphia and within Bucks County; Administrative Order No. 78; AD 3 2019

Order

And Now, this 7th day of February, 2019, Bucks County Criminal Division Administrative Order No. 78, promulgated on June 26, 2017, is hereby amended as follows:

In accordance with Pennsylvania Rule of Criminal Procedure No. 130(A)(6), it is hereby *Ordered* and *Directed* that venue for all Pennsylvania State Police Traffic Citations for offenses occurring on the right-of-way of Interstate Route 95 and Route 295 within Bucks County, Pennsylvania, shall be filed and heard in the following designated Courts:

- Interstate Route 95 from the Philadelphia boundary to Interstate 295 Mile Post Marker 0.0, North bound—to be filed and heard in District Court 07-1-04/Levittown.
- Interstate Route 295 from Mile Post Marker 0.0 to Interstate Route 95 to the Philadelphia boundary South bound—to be filed and heard in District Court 07-1-08/Levittown.

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.

- Interstate Route 295 from Mile Post Marker 0.0 to the New Jersey border, East and West bound, including the Scudder Falls Bridge—to be filed and heard in District Court 07-1-08/Levittown.

All Traffic citation filings respective to the following bridges connecting Bucks County and the State of New Jersey are to be filed and heard in District Court 07-1-08/Levittown.

- Washington Crossing Bridge
- Scudder Falls Bridge
- Lower Trenton Bridge
- Morrisville Route 1 Bridge
- Calhoun Street Bridge

The effective date for the previously listed change of venue shall be March 15, 2019.

The previously listed assignment of venue is ordered to better serve the administration of justice in Bucks County and in particular District Courts 07-1-04/Levittown and 07-1-08/Levittown.

By the Court

WALLACE H. BATEMAN, Jr.,
President Judge

[Pa.B. Doc. No. 19-284. Filed for public inspection March 1, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES**BUCKS COUNTY**

Venue Transfer of Pennsylvania State Police Traffic Filings—Milford Township and Trumbauersville Borough; Administrative Order No. 84; AD 1-2019

Order

And Now, this 7th day of February, 2019, Bucks County Criminal Division Administrative Order No. 84, promulgated on June 26, 2017, is hereby amended as follows:

In accordance with Pennsylvania Rule of Criminal Procedure No. 130(A)(6), it is hereby *Ordered* and *Directed* that venue for all Pennsylvania State Police Criminal filings, including Traffic and Non-Traffic Citations initiated by the Pennsylvania State Police, for the venues of Milford Township and Trumbauersville Borough are to be filed and heard in Magisterial District Court 07-2-08, 962 Town Center, New Britain, PA 18901.

The effective date for the previously listed change of venue shall be March 15, 2019.

The previously listed assignment of venue is ordered to better serve the administration of justice in Bucks County and in particular District Courts 07-2-08/New Britain and 07-2-05/Quakertown.

By the Court

WALLACE H. BATEMAN, Jr.,
President Judge

[Pa.B. Doc. No. 19-285. Filed for public inspection March 1, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUCKS COUNTY

Venue Transfer of Pennsylvania State Police Traffic Filings—Turnpike and Route 95 between the Boundaries of the State of New Jersey, Montgomery County and within Bucks County; Administrative Order No. 79; AD 2-2019

Order

And Now, this 7th day of February, 2019, Bucks County Criminal Division Administrative Order No. 79, promulgated on June 26, 2017, is hereby amended as follows:

In accordance with Pennsylvania Rule of Criminal Procedure No. 130(A)(6), it is hereby *Ordered* and *Directed* that venue for all Pennsylvania State Police Traffic Citations for offenses occurring on the right-of-way of the Pennsylvania Turnpike, Route 276, and Interstate Route 95 within Bucks County, Pennsylvania, shall be filed and heard in the following designated Courts:

- State Route 276 from Mile Post Marker 346.2 to Mile Post Marker 350.3 East and West bound—shall be filed and heard in District Court 07-1-03/Bristol.
- State Route 276 from Mile Post Marker 356.3 to Mile Post Marker 350.3 West bound—shall be filed and heard in District Court 07-1-02/Bristol.
- Interstate Route 95 from Mile Post Marker 43.2 to Mile Post Marker 40.8 South bound—shall be filed and heard in District Court 07-1-02/Bristol.
- State Route 276 from Mile Post Marker 350.3 to Mile Post Marker 356.3 East bound—shall be filed and heard in District Court 07-1-03/Bristol.
- Interstate Route 95 from Mile Post Marker 40.8 to Mile Post Marker 43.2 North bound—shall be heard in District Court 07-1-03/Bristol.

The effective date for the previously listed change of venue shall be March 15, 2019.

The previously listed assignment of venue is ordered to better serve the administration of justice in Bucks County and in particular District Courts 07-1-02/Bristol and 07-1-03/Bristol.

By the Court

WALLACE H. BATEMAN, Jr.,
President Judge

[Pa.B. Doc. No. 19-286. Filed for public inspection March 1, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

DAUPHIN COUNTY

Promulgation of Local Rules; No. 1793 S 1989

Order

And Now, this 8th day of February, 2019, Dauphin County Local Rule of Civil Procedure 1915.11-1 is promulgated as follows:

Rule 1915.11-1. Parenting Coordination.

(a) *Appointment of a Parenting Coordinator.*

(1) If the parties agree on a Parenting Coordinator or if the Court deems one necessary, an order will be entered in accordance with Pa.R.Civ.P. 1915.22.

(2) If the parties cannot agree on the selection of a Parenting Coordinator, the Court shall require each party to identify their choice(s) along with hourly rates to all parties. If the parties cannot agree, the Court will select their Parenting Coordinator. The roster of the Court's approved Parenting Coordinators is posted at http://www.dauphincounty.org/government/courts/self_help_center/index.php.

(3) Any party seeking a reduced fee under section (g) below must file with the Prothonotary a Request for Reduced Parenting Coordinator Fee and the accompanying affidavit using the forms found at http://www.dauphincounty.org/government/courts/self_help_center/index.php within three (3) days of the appointment order absent good cause shown.

(b) *Roster of Approved Parenting Coordinators.*

An attorney or mental health professional seeking to be included on the Dauphin County Court's roster of qualified individuals to serve as a Parenting Coordinator shall submit a letter to the President Judge together with the following:

(1) An affidavit attesting the applicant has qualifications found in Pa.R.Civ.P. 1915.11-1;

(2) An acknowledgment the applicant will follow the Association of Family and Conciliation Courts (AFCC) Parenting Coordinator guidelines and has read the American Psychological Association (APA) Parenting Coordinator Guidelines; and

(3) An acknowledgment of responsibility to accept reduced fee or no fee assignments each year to equal twenty (20) hours a year, as needed. (Appointments for reduced or no fee assignments will be made on a rotating basis for all Parenting Coordinators on the Court's roster).

AFCC Parenting Coordinator guidelines are posted at <https://www.afccnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf> and the APA Parenting Coordinator Guidelines are posted at <https://www.apa.org/pubs/journals/features/parenting-coordination.pdf>.

(f) *Parenting Coordinator Recommendations*

(2) A Parenting Coordinator shall file their Summary and Recommendations with the Prothonotary within two (2) days after the last communication with the parties on the issues in accordance with Pa.R.Civ.P. 1915.11-1(f)(2).

(3) *Objections to Parenting Coordinator's Recommendation(s) and Petition for a Record Hearing.*

a. A party objecting to the Recommendations must file with the Prothonotary an original and copy of their Objections and a Petition for a Record Hearing before the Court within five days of service of the Summary and Recommendations together with a Proof of Service upon all parties and the Parenting Coordinator.

b. The Prothonotary shall promptly forward the original Objections and Petition to the Court Administrator's Office for assignment to the parties' Family Court Judge to promptly schedule a record hearing. If the matter is an emergency or time-sensitive and the assigned Family

Court Judge is not available, the matter will be assigned to the Emergency Custody Judge to conduct a record hearing.

(4) *Court Review of Parenting Coordinator’s Recommendations.*

If no objections to the Parenting Coordinator’s Recommendation are filed with the Prothonotary within five days of service of the Summary and Recommendation, the Prothonotary shall transmit the file to the Court Administrator’s Office to be assigned to the parties’ Family Court Judge or if none, to any Family Court Judge for review of the Recommendation in accordance with Pa.R.C.P. 1915.11-1(f)(4).

(g) *Fees*

Parties who request the appointment of a Parenting Coordinator or who are identified by the Court as benefiting from the appointment of a Parenting Coordinator shall pay the Parenting Coordinator as follows:

1. Up to \$300.00 an hour;
2. Absent good cause, each party shall pay fifty (50) percent of the hourly fee which may be reallocated as deemed appropriate by the Parenting Coordinator or the Court. See Pa.R.C.P. 1915.22(8).
3. If a party’s income is above 150% of the Federal Poverty Guidelines but below the Dauphin County median income for the most recent year, the Court will set the reduced fee rate for that party. See Dauphin County median income: <https://www.census.gov/quickfacts/fact/table/dauphincountypennsylvania/INC910216#INC910216>. See Federal Poverty Guidelines: <https://aspe.hhs.gov/poverty-guidelines>.

The reduced fee scale is as follows:

Equal to or above median income	100% of allocated fee
1%—25% below median income	75% of allocated fee
26% below median income— above 150% of the Federal Poverty Guidelines	50% of allocated fee
Below 150% of the Federal Poverty Guidelines	\$15 per hour
Below Federal Poverty Guidelines	\$0 per hour

4. The Court may adjust a party’s reduced fee based upon good cause.

Examples:

1. If the Dauphin County median annual income for one individual is \$33,000 and the party’s individual gross annual income is \$38,000, the party must pay 100% of their allocated fee. If the Parenting Coordinator charged \$200 per hour and both parties were to split the fee equally, this party would pay \$100.00 an hour.
2. If the party’s annual gross income is \$9000, the party would pay \$15.00 an hour since their gross income is below 150% of the Federal Poverty Guidelines.
3. If the party’s gross annual income is \$20,000 and the Dauphin County median annual income for one individual is \$33,000, the party would pay 50% of their allocated fee. If the Parenting Coordinator charged \$200 per hour and

both parties were to split the fee equally, this party would pay \$50.00 per hour (50% of the \$100.00 allocated fee).

4. If the Parenting Coordinator’s fee was allocated 75% for that parent, in the example above, the party, due to being 50% below the Dauphin County median income, would pay 50% of their allocated fee or \$75.00 an hour. (75% of \$200 = \$150 an hour × 50% reduction = \$75.00 an hour).

Rule of Civil Procedure 1915.11-1 shall be published in the *Pennsylvania Bulletin* and is effective on March 1, 2019.

By the Court

RICHARD A. LEWIS,
President Judge

[Pa.B. Doc. No. 19-287. Filed for public inspection March 1, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

WESTMORELAND COUNTY

Juvenile Justice Restoration/Restitution Fee; No. 3 of 2019

Administrative Order of Court

And Now, this 7th day of February, 2019, *It Is Hereby Ordered* that Westmoreland County Rule of Juvenile Procedure WJUV515 is hereby adopted. This change is effective 30 days after publication in the *Pennsylvania Bulletin*.

By the Court

RITA DONOVAN HATHAWAY,
President Judge

Rule WJUV515. Juvenile Justice Restoration/Restitution Fee.

A. In cases deemed appropriate by the presiding juvenile court judge, and as part of the plan of rehabilitation considering the nature of the acts committed and the earning capacity of the child, in accordance with 42 Pa.C.S. Section 6352, a delinquent child may be ordered to pay a Juvenile Justice Restoration/Restitution Fee in the amount of \$30.00.

B. The Juvenile Justice Restoration/Restitution Fee shall not be imposed in each case when the juvenile has multiple cases arising from the same set of facts or occurrences.

C. The fee collected shall be deposited in the “Juvenile Restoration/Restitution Fund,” and shall be disbursed as ordered by the Administrative Judge of Juvenile Court and in accordance with provisions of 42 Pa.C.S. Section 6352. Administration of said fund shall be subject to written guidelines to be maintained by the Westmoreland County Juvenile Probation Department.

[Pa.B. Doc. No. 19-288. Filed for public inspection March 1, 2019, 9:00 a.m.]

Title 255—LOCAL COURT RULES

YORK COUNTY

Amendment of Local Rules of Civil Procedure; 2018-MI-000453

Administrative Order Adopting York County Local Rules of Civil Procedure 1910.4, 1915.11-1, and 1940.7, and Amending Rules 1920.51 and 1940.4

And Now, this 26th day of December, 2018, it is Ordered that York County Local Rules of Civil Procedure 1910.4, 1915.11-1, and 1940.7 are adopted, and York County Local Rules of Civil Procedure 1920.51 and 1940.4 are amended, effective February 1, 2019.

The District Court Administrator shall publish this order as may be required.

By the Court

JOSEPH C. ADAMS,
President Judge

Rule 1910.4. Commencement of Action.

When the moving party files a complaint to commence an action for alimony pendente lite (APL), the filing party must include a fully executed background for APL form as prescribed by the domestic relations section and available at the domestic relations section office.

Rule 1915.11-1. Parenting Coordination.

A parenting coordination program shall commence on or after March 1, 2019 by administrative order. A list of approved coordinators shall be maintained by the court. Interested attorneys and mental health professionals meeting the eligibility criteria are required to apply when the court advertises for parenting coordinator openings. Appointments of qualified individuals to the parenting coordinator list shall be made at the frequency and discretion of the president judge. The hourly rate and list of approved parenting coordinators shall be set by administrative order and may be updated from time to time. When parties qualify due to in forma pauperis status and/or limited means and it is so ordered, the qualifying party may pay a reduced fee as set by administrative order.

Rule 1920.51. Appointment of Master. Notice of Hearing.

* * * * *

(B) *Procedure to Appoint a Master.*

(1) The moving party shall present to the prothonotary the original and one (1) copy of a motion to appoint a master.

[(a) If the moving party seeks appointment of a master solely to address an issue of alimony pendente lite, the filing party must include the following documents as attachments to the motion to appoint a master:

(i) a copy of the initial pleading the party previously filed raising a claim for alimony pendente lite, bearing the prothonotary's time-stamp of initial filing; and

(ii) a fully executed background for APL form as prescribed by the master.

(b)] If the moving party seeks appointment of a master solely to address a discovery issue, the filing party must include as an attachment to the motion to appoint a master a fully executed discovery status conference information sheet as prescribed by the master.

* * * * *

(6) The prothonotary shall serve copies of the appointment and scheduling orders and divorce master memoranda upon all parties.

* * * * *

(E) *Scheduling of Preliminary Proceedings and Hearings Before the Master.*

* * * * *

(2) *Continuance Requests.* [**Any request for continuance shall be submitted by the moving party to the master for consideration.**] All continuance requests shall be made on the application for continuance form promulgated by the court. The response and signature of opposing counsel should be included on the form. [**Once the master rules on the request, the master shall file the form with the prothonotary, who shall serve all parties.**] Any request for continuance shall be filed with the prothonotary in accordance with York R.C.P. 208.3(A) and the directions set forth within the form.

* * * * *

1940.4. Minimum Qualifications of the Mediator. Selection of Mediators. Training.

[(A)] Mediation Training Requirements: In addition to any requirements in Pa.R.C.P. No. 1940.4, persons selected as mediators must have fulfilled the requirements of a recognized organization of family mediators, (which shall include at least forty (40) hours of approved training in family law mediation), or have received thirty (30) hours of Custody Mediation Training approved by the court.

[(B) No person shall serve as a mediator in case where the mediator or any member of his or her firm:

(1) previously or currently represents one or more parties;

(2) is personally acquainted with or related to one or more of the parties;

(3) has personal knowledge or familiarity with the case;

(4) has been or may be called as a witness in the case; or

(5) has participated as a conciliator or master in the case.]

1940.7. Mediator Compensation.

The compensation rate for mediators shall be set by administrative order. Parties who have been granted in forma pauperis status shall be required to pay a reduced fee of 10% of the compensation rate.

[Pa.B. Doc. No. 19-289. Filed for public inspection March 1, 2019, 9:00 a.m.]

**DISCIPLINARY BOARD OF
THE SUPREME COURT**

Notice of Hearing

A Petition for Reinstatement to the active practice of law has been filed by PETER C. IBE and will be the subject of a hearing on April 30, 2019 before a hearing committee designated by the Board. Anyone wishing to be heard in reference to this matter should contact the District III Office of the Disciplinary Board of the Supreme Court of Pennsylvania, 601 Commonwealth Ave., Ste. 5800, Harrisburg, Pennsylvania 17106, phone number (717) 772-8572, on or before April 12, 2019.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 19-290. Filed for public inspection March 1, 2019, 9:00 a.m.]

**DISCIPLINARY BOARD OF
THE SUPREME COURT**

Notice of Suspension

Notice is hereby given that on February 14, 2019, pursuant to Rule 214, Pa.R.D.E., the Supreme Court of Pennsylvania ordered that Lance Timothy Mason, be placed on Temporary Suspension from the practice of law until further definitive action by the Court, to be effective March 16, 2019.

MARCEE D. SLOAN,
Board Prothonotary

[Pa.B. Doc. No. 19-291. Filed for public inspection March 1, 2019, 9:00 a.m.]

PROPOSED RULEMAKING

STATE BOARD OF OPTOMETRY

[49 PA. CODE CH. 23]

General Revisions

The State Board of Optometry (Board) proposes to amend §§ 23.1, 23.21, 23.82, 23.86, 23.87 and 23.91, and to add § 23.90 (relating to standards for commercial support) to read as set forth in Annex A.

Effective Date

The amendments will be effective upon publication of the final-form rulemaking in the *Pennsylvania Bulletin*.

Statutory Authority

The amendments are authorized under section 3(b)(14) of the Optometric Practice and Licensure Act (act) (63 P.S. § 244.3(b)(14)).

Background and Purpose

Section 3(b)(14) of the act gives the Board the authority to promulgate all rules and regulations necessary to carry out the purposes of the act. Section 5(b) of the act provides the minimum requirements for continuing education of 30 hours in a biennial period for licensed optometrists. Because the Board is charged with ensuring the health, safety and welfare of the patients of optometrists, it strives to ensure that clear guidance is given to licensees in reporting continuing education and the standards for accepting commercial support from the providers of continuing education.

In compliance with Executive Order 1996-1, the Board extended invitations to comment on an exposure draft of this proposed rulemaking to parties who have indicated an interest in the Board's regulatory activities. The Board received comments from the Pennsylvania Optometric Association and the Pennsylvania Academy of Ophthalmology and considered their comments in drafting this proposal.

Description of the Proposed Amendments

This proposed rulemaking would amend § 23.1 (relating to definitions) by adding a definition of "contact lens." Although the act and the Board's regulations use the term "contact lens," neither provides a definition. The Board believes that this definition is necessary to provide guidance to optometrists and to the general public. Adding this definition will clarify that a contact lens includes any medical device or other item of any material, tissue or power (including plano or zero-powered) that is required to be dispensed by prescription and is placed directly on the cornea or the sclera to (1) correct vision conditions, (2) act as a diagnostic or therapeutic device or (3) provide a cosmetic or decorative effect. It is the Board's intent that this definition will provide clarification that all contact lenses, as the term is defined herein, are subject to both State and Federal regulations.

This proposed rulemaking would amend § 23.21 (relating to reciprocal application) to clarify that an applicant for licensure by reciprocity who is a graduate of an unaccredited school shall comply with the requirements of § 23.14 (relating to graduates of unaccredited schools).

Four sections of this proposed rulemaking would address continuing education. First, § 23.82 (relating to continuing education hour requirements) would be

amended to address reporting, audits and enforcement. Under § 23.82(a), the Board would add the word "immediately" to the phrase "during the 2 years preceding renewal or reactivation" to clarify when the continuing education hours must be taken in response to past questions from licensees. Likewise, in this subsection the Board would also propose an amendment to respond to questions that have arisen regarding the maximum number of continuing education hours in the treatment of glaucoma that may be applied to the 6 hours required to maintain certification for therapeutic purposes—no more than 4 hours. Under subsections (b)—(f), the Board would address the reporting, audits and making up deficiencies of continuing education requirements. All boards within the Bureau of Professional and Occupational Affairs require licensees to certify completion of their continuing education as a condition of renewal and conduct post-renewal audits to assure compliance. The Board is proposing these amendments to provide notice to licensees of the audit requirements and of the affirmative requirement, notwithstanding any disciplinary action that might be taken by the Board, to make up all deficiencies that are identified through the audit process.

Second, under § 23.86 (relating to sources of continuing education hours), the Board, for purposes of clarity, would set forth under subsection (a) the preapproved providers of continuing education in a numbered list, rather than in paragraph form. Also for clarity, the Board would provide that the schools and colleges of optometry that are accredited by the Accreditation Council of Optometric Education or its successor, are the ones that the Board deems approved. Where National or State organizations are listed, the Board would also clarify that the affiliated State or local entities are also included as preapproved providers. Under subsection (b), the Board would set forth the requirements for other providers of continuing education not listed in subsection (a) to obtain approved provider status. The Board would use the continuing education standards set by the Association of Regulatory Boards of Optometry's (ARBO) Council of Optometric Practitioner Education (COPE) to determine if a provider is competent to provide continuing education to optometrists. To inform licensees of new and existing providers of continuing education, the Board will maintain a list on its web site. Subsection (d) sets forth the process for individual course approval by providers who have not been approved under subsection (a) or (b). Subsection (e) would set forth the manner in which licensees may be awarded continuing education retroactively for attending programs that have not been previously approved. Finally, in subsections (f)—(i), the Board would provide guidance to its licensees on the maximum percentage of continuing education credits that a licensee may receive for specific types of continuing education.

Third, the Board, would add a new subsection (b) to § 23.87 (relating to reporting of continuing education credit hours) that would allow, but not require, a licensee to have the licensee's continuing education courses entered into an electronic database. One such electronic database developed by ARBO is the Optometric Education Tracker, which captures and stores continuing education data electronically for optometrists, thereby allowing licensees to track their continuing education compliance and allowing licensing boards to review and audit the continuing education credits earned by their licensees electronically. Costs are paid by licensees at \$20 per year.

In the final section pertaining to continuing education, the Board would add § 23.90, to address a new area regarding the type and amount of benefits that continuing education providers may give to licensees, including those who serve as course instructors or consultants rendering advisory services. In drafting its proposed regulations, the Board reviewed ARBO’s COPE Standards for Commercial Support and standards developed by the Pharmaceutical Research and Manufacturers of America.

Finally, the Board would revise its fee structure under § 23.91 (relating to fees) to include applications for continuing education provider initial approval, renewal fees for approved providers and application fees for licensees seeking continuing education credit retroactively. Additionally, the Board clarified that the application for continuing education program approval includes continuing education courses.

Fiscal Impact and Paperwork Requirements

This proposed rulemaking should have no fiscal impact on the Commonwealth or its political subdivisions. Only minor paperwork requirements are imposed for the Board to develop forms for approval of providers of continuing education under § 23.86(b)(1). The only fiscal impact to the regulated community of optometrists would be associated with the \$45 fee for retroactive approval of continuing education courses. However, this cost could be avoided by simply taking all continuing education through pre-approved providers and courses. Providers of continuing education courses could benefit from the new fee structure in that they could apply for provider approval and pay a \$135 fee, rather than pay a \$45 fee for each course offered.

Sunset Date

The Board continually monitors the cost effectiveness of its regulations. Therefore, no sunset date has been assigned.

Regulatory Review

Under Section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on February 15, 2019, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

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

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Jacqueline A. Wolfgang, Board Counsel, State Board of Optometry, 2601 North Third Street, P.O. Box 69523, Harrisburg, PA 17106-9523, RA-STRegulatoryCounsel@pa.gov, within 30 days following publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Reference No. 16A-5213 Optometry Board General Revisions, when submitting comments.

CARL J. URBANSKI, OD,
Chair

Fiscal Note: 16A-5213. No fiscal impact; (8) recommends adoption.

ANNEX A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 23. STATE BOARD OF OPTOMETRY

GENERAL PROVISIONS

§ 23.1. Definitions.

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

* * * * *

Clinical Skills Assessment Examination—A clinical skills competency examination developed, prepared, administered and scored by the NBEO, which the Board adopts as the State clinical examination for licensure.

Contact lens—A medical device or any other item or device of any material, tissue or power, including plano or zero-powered, that is required to be dispensed by prescription, and is placed directly on the cornea or the cornea and sclera to do any of the following:

- (i) Correct vision conditions.
- (ii) Act as a diagnostic or therapeutic device.
- (iii) Provide a cosmetic or decorative effect.

Continuing education hour—Fifty minutes of continuing education.

* * * * *

LICENSE BY RECIPROCITY AND INTERSTATE CERTIFICATION

§ 23.21. Reciprocal application.

(a) An applicant for licensure by reciprocity to practice optometry in this Commonwealth shall submit the following to the Board:

(1) A completed application which has been filed with the Board together with the fee required by § 23.91 (relating to fees), in the form of a check or money order, made payable to “Commonwealth of Pennsylvania—OE.”

(2) A certificate of preprofessional education issued by the Department, showing that the preliminary education requirements are satisfied.

(3) A transcript of subjects and grades from the college or school of optometry from which the applicant has graduated.

(b) Any school or college of optometry from which the applicant for reciprocity has graduated shall be one approved by the Board at the time he was graduated.

(c) An applicant for licensure by reciprocity who is a graduate of an unaccredited school shall comply with the requirements of § 23.14 (relating to graduates of unaccredited schools).

CONTINUING EDUCATION

§ 23.82. Continuing education hour requirements; **continuing education reporting; audit and enforcement.**

(a) An applicant for biennial license renewal or reactivation of license is required to complete, during the 2

years **immediately** preceding renewal or reactivation, a minimum of 30 hours of continuing education. For licensees certified in accordance with section 4.1 of the act (63 P.S. § 244.4a), regarding certification to prescribe and administer pharmaceutical agents for therapeutic purposes, at least 6 of the required 30 hours shall concern the prescription and administration of pharmaceutical agents for therapeutic purposes. For licensees certified in accordance with section 4.2 of the act (63 P.S. § 244.4b), regarding additional requirements to prescribe and administer pharmaceutical agents for the treatment of certain types of glaucoma, at least 4 of the 30 hours shall concern the prescription and administration of pharmaceutical agents for the treatment of glaucoma. **[The] No more than** 4 hours taken in the treatment of glaucoma may be applied toward the 6 hours required to maintain therapeutic certification; however, all licensees shall complete at least 30 total hours. Completion of a Board-approved course described in section 4.1(a)(2) of the act or continuing education described in section 4.2 of the act shall satisfy the continuing education requirement for the biennial renewal period in which it is completed including the 6-hour requirement in therapeutics and the 4-hour requirement in glaucoma.

(b) **[Persons failing to meet the continuing education requirements for any biennial renewal period will be disciplined in accordance with section 7(e) of the act (63 P.S. § 244.7(e)).] Licensees shall certify completion of the required continuing education on the biennial renewal application. False certifications will be grounds for disciplinary action under section 7(a)(3) of the act (63 P.S. § 244.7(a)(3)).**

(c) **The Board may randomly audit licensees to ensure compliance with the continuing education requirements. A licensee selected for audit shall provide information to document the licensee's completion of required continuing education, which shall include the information at § 23.87(a) (relating to reporting of continuing education credit hours).**

(d) **A licensee who, as a result of an audit, is determined to be deficient in continuing education hours will be subject to formal disciplinary action under section 7(a)(8) of the act (63 P.S. § 244.7(a)(8)), or will be subject to the issuance of a citation under section 5(a) of the act of July 2, 1993 (P.L. 345, No. 48) (63 P.S. § 2205(a)) in accordance with § 43b.25 (relating to schedule of civil penalties—optometrists).**

(e) **Notwithstanding other disciplinary action taken as set forth in subsection (d), a licensee who is determined to be deficient in continuing education hours is required to make up all deficient hours of continuing education and submit documentation containing the information set forth in subsection (c) to the Board within 6 months from the issuance of a citation or the imposition of formal discipline. Hours of continuing education submitted to the Board to make up for a deficiency may not be used to satisfy the continuing education requirement for the current biennium.**

(f) **Failure to make up all deficiencies as set forth in subsection (e) will subject the licensee to further disciplinary action under section 7(a)(8) of the act.**

(g) The Board may waive the requirements of continuing education in cases of certified illness or undue

hardship. It is the duty of each licensee seeking waiver to notify the Board in writing and request the waiver prior to the end of the biennial renewal period for which the waiver is sought. The waiver will be granted, denied or granted in part.

§ 23.86. Sources of continuing education hours.

(a) **[In addition to another provider which wishes to secure approval from the Board, the] The Board finds that the [following] providers listed below have currently met the standards for provider approval for all acceptable courses of continuing education[; accordingly,] that meet the requirements of § 23.83(a) (relating to continuing education subject matter). Accordingly, the following providers [have program approval in all allowable areas for continuing education] are preapproved sources for continuing optometric education courses:**

[the] (1) The American Optometric Association, and its state affiliates.

[the] (2) The Pennsylvania Optometric Association, and its local societies.

[all Board-accredited] (3) All schools and colleges of optometry[,] accredited by the Accreditation Council on Optometric Education (ACOE) of the American Optometric Association, or its successor.

[the] (4) The College of Optometrists in Vision Development (COVD)[,].

[the] (5) The Council on Optometric Practitioner Education (COPE)[, eye and vision-related continuing]

(6) Continuing education courses offered by accredited medical colleges, as defined in section 2 of the Medical Practice Act of 1985 (63 P.S. § 422.2)[,].

[the] (7) The Optometric Extension Program[,].

[the] (8) The American Academy of Optometry and its state affiliates[,].

[the] (9) The American Academy of Ophthalmology and its state affiliates[, and eye and vision-related courses offered by the]

(10) The American Medical Association and its state affiliates.

(b) The Board may approve other providers of continuing education not listed in subsection (a). The Board will maintain on its web site a list of all approved providers.

(1) A provider seeking approved provider status shall:

(i) Apply to the Board, on forms supplied by the Board, at least 90 days in advance of the date the initial course is given. The provider may not offer any course for credit until the Board grants its approval as an approved provider.

(ii) Pay the required fees under § 23.91 (relating to fees).

(iii) Demonstrate that the provider is competent to provide continuing education to optometrists.

(2) All provider approvals expire November 30th of each even-numbered year, regardless of the date of issuance, and must be renewed biennially.

(c) The approval given to [these] the providers approved in accordance with subsections (a) and (b) is subject to reevaluation. A rescission of provider or program approval will be made only in accordance with 1 Pa. Code Part II (relating to general rules of administrative practice and procedure).

[b] (d) Courses which are [provided] given by providers [not indicated in subsection (a)] who have not been approved in accordance with subsections (a) or (b) will count as continuing education hours provided that the [provider and subject matter are] course is approved by the Board prior to implementation of the course. The course provider shall submit an application for course approval on a form supplied by the Board and pay the fee required under § 23.91 at least 45 days in advance of the date the course is given. [In addition, credits may be obtained on an individual basis for attendance at programs which have not had prior approval of the Board so long as the individual submits proper application for program approval and supporting documentation and verification of attendance; however, in this instance, the licensee cannot guarantee himself proper credit from the Board unless the Board finds such course to be in compliance with the subject matter and the provider to be qualified.]

(e) Continuing education credit may be awarded retroactively for attending programs, to include lectures and college or university courses, which have not been previously approved. The attendee shall apply to the Board for approval on a form supplied by the Board, pay a fee under § 23.91, and document attendance within 60 days of attending the program. The attendee shall demonstrate to the Board's satisfaction that the program meets the requirements in § 23.83. A licensee may complete up to 50% of the licensee's required continuing education in programs approved under this subsection or subsections (f)—(h).

[(c)] (f) It shall be permissible to attend clinical conferences, clinical rounds, or training under a preceptor through clinical hospitals, medical centers, schools, and colleges which are acceptable at the rate of [one] 1 continuing education hour for every 50 minutes. If requested by the Board, a licensee shall provide documentation of completion. A licensee may complete up to 25% of the licensee's required continuing education from sources in this subsection and up to an additional 25% in required continuing education from any of the sources in subsections (e), (g) or (h).

[(d)] (g) Credit hours will be given for correspondence programs, taped study programs, online or webinar programs, journal courses, and other individual study programs at the rate of 1 continuing education hour for every 50 minutes. However, proper credit being given for such program is dependent upon the licensee proving, to the satisfaction of the Board, that the program meets the provisions of [§ 23.85 (relating to standards for providers)] subsections (a) or (b). A licensee may complete up to 50% of the licensee's required continuing education in individual study

in accordance with this subsection or in the continuing education from any of the sources in subsections (e), (f) or (h).

[(e)] (h) Credit hours will be credited for service as a teacher, preceptor, lecturer, or speaker and for publications, articles, books, and research relating to the practice of optometry. [Application should be made prior to the service to assure that approval will be given by the Board to the program.] At the request of the Board, a licensee shall provide documentation to the Board. Otherwise, the licensee will be required to secure retroactive approval as set forth in subsection [(b)] (e). One continuing education hour will be granted for every 50 minutes of initial instruction or research and 2 continuing education hours will be granted for the preparation of each hour of instruction. If a licensee prepares written materials to accompany the instruction, the continuing education credits for only the instruction will be doubled. Five continuing education hours will be granted for publication of a book, and 2 continuing education hours will be granted for publication of an article or a chapter in a book. A licensee may complete up to 25% of the licensee's required continuing education in accordance with this subsection and up to an additional 25% from any of the required continuing education sources in subsections (e), (f) and (g).

[(f) Each licensee is required to fulfill the continuing education hours using the following allocations:

(1) Subsections (a) and (b) count for a minimum of 50%. Continuing education hours may be completed from subsections (a) and (b).

(2) Subsections (c), (d) or (e) may be used up to a maximum of 25% of the required biennial credit hours. In no case may the combined total from these three subsections exceed 50% of the total biennial requirement of 30 hours.]

(i) Of the 30 hours of continuing education credit required at § 23.82 (relating to continuing education hour requirements), the following shall apply:

(1) Courses in jurisprudence or ethics shall count for no more than 2 hours of the total.

(2) Courses within the optometric curriculum offered by an accredited school of optometry or medicine in the United States or Canada shall count for no more than 25% of the required biennial credit hours. Two continuing education credit hours will be provided for each semester credit earned, including a course which the licensee audits.

§ 23.87. Reporting of continuing education credit hours.

(a) Applicants for a license or license renewal shall provide, at a time prescribed and on forms approved by the Board, a signed statement certifying that they have met the continuing education requirements set forth in section 5(b) of the act (63 P.S. § 244.5(b)) by providing information which shall include the following:

(1) Dates attended.

(2) Continuing education hours claimed.

(3) Title of course, including the course number assigned by the Board, if applicable, and description of

content. For those courses which are approved to meet the requirements for therapeutic or glaucoma certification, the licensee claiming credit shall ensure that the certificate of attendance includes the course number and number of hours that apply toward the requirement for therapeutic or glaucoma certification.

(4) School, clinical hospital, medical center, optometric center or organization sponsoring course, clinical conference, clinical rounds or preceptor training.

(5) Instructor.

(6) Name of licensee.

(b) If a course provider does not use an electronic database such as the Association of Regulatory Boards of Optometry's (ARBO's) Optometric Education (OE) Tracker to report a continuing education course, the licensee may make arrangements to have the continuing education course entered into an electronic database for compliance purposes.

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

§ 23.90. Standards for commercial support.

(a) For a licensee to obtain continuing education credit, all continuing education must be free from the control of a commercial interest.

(1) There must be a clear separation of any type of product, service and instrument or device promotion with any continuing education courses. All commercial exhibits and advertisements must be physically separated from continuing education courses.

(2) Specific proprietary business interests or products may not be included in continuing education courses. Continuing education courses must give balanced coverage to treatment options.

(3) Financial relationships with commercial interests of any person in a position to impact or control the educational content must be disclosed to the licensees taking the course and to the Board.

(4) Course instructors shall assure that educational materials must not include any advertising or product group message. Instructors shall ensure balanced and transparent coverage of therapeutic and treatment options, and may disclose off-label or experimental information.

(b) A licensee's travel, lodging, honoraria or personal expenses (including social events and recreation) for attending a continuing education program may not be paid for or reimbursed by the provider of the continuing education. Licensees who are course instructors or consultants rendering advisory services to the continuing education provider may receive reasonable compensation for those services and reimbursement for reasonable travel, lodging, and meal expenses incurred as part of providing these services.

(c) A licensee may receive from the provider of continuing education food and refreshment of modest value according to local standards for attending the continuing education program.

FEES

§ 23.91. Fees.

The following is the schedule of fees for services charged by the Board:

* * * * *

Application for continuing education **course or** program approval..... \$45

Application for continuing education provider initial approval for providers under § 23.86(b) (relating to sources of continuing education hours)..... \$135

Biennial renewal fee for providers approved under § 23.86(b)..... \$45

Application for licensees seeking continuing education credit retroactively under § 23.86(e) or (h)..... \$45

Application for certification to treat glaucoma \$25

[Pa.B. Doc. No. 19-292. Filed for public inspection March 1, 2019, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Governor's Office of Administration

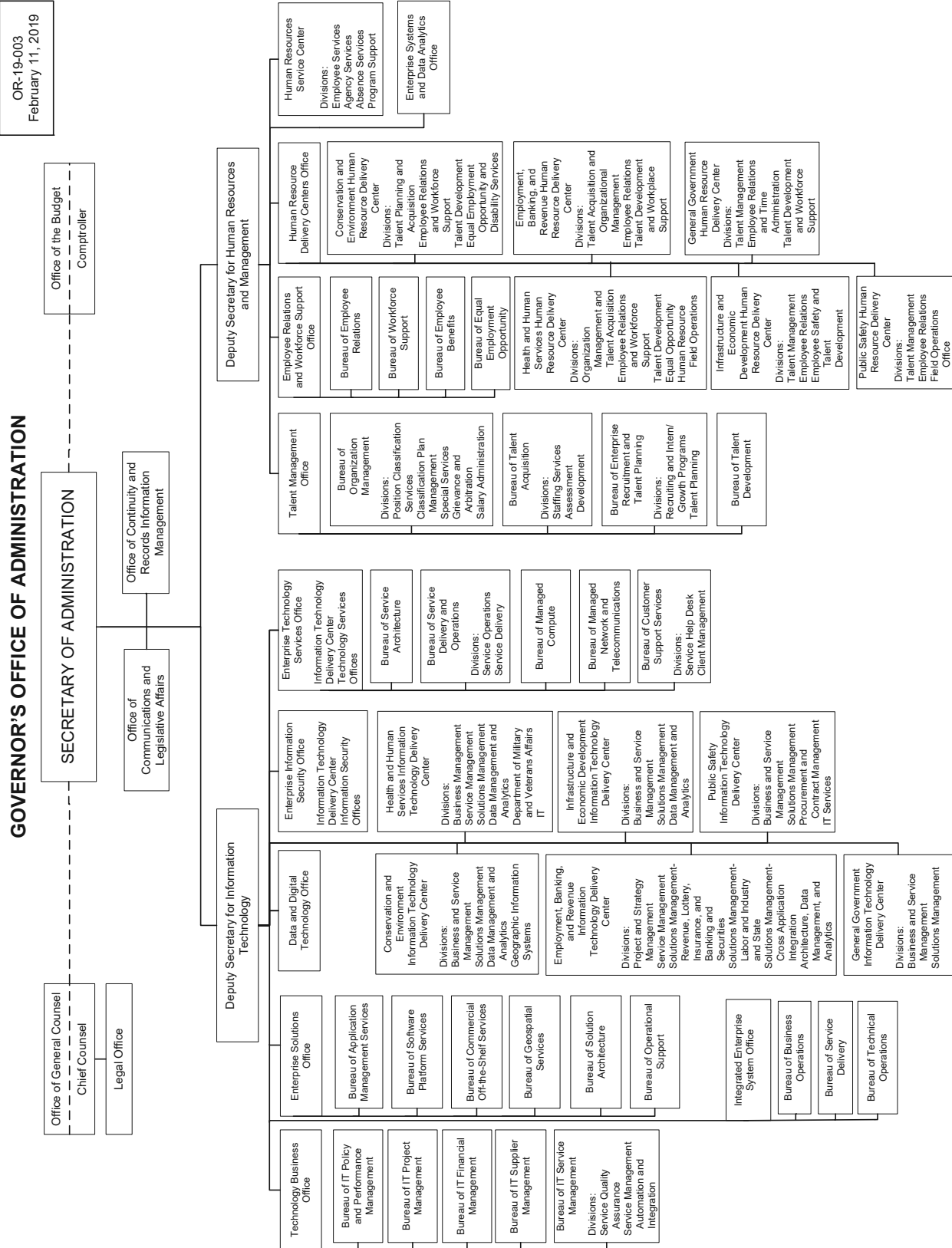
The Executive Board approved a reorganization of the Governor's Office of Administration effective February 11, 2019.

The organization chart at 49 Pa.B. 928 (March 2, 2019) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 19-293. Filed for public inspection March 1, 2019, 9:00 a.m.]

GOVERNOR'S OFFICE OF ADMINISTRATION



Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[52 PA. CODE CH. 69]

[M-2018-3004578]

Reporting of Intrastate Operating Revenues for Section 510 Assessment Purposes by Jurisdictional Telecommunications Carriers Offering Special Access and Other Similar Jurisdictionally-Mixed Telecommunications Services

The Pennsylvania Public Utility Commission (Commission) on November 8, 2018, adopted a policy statement that is intended to provide guidance regarding the reporting of gross intrastate operating revenues for Section 510 assessment purposes by jurisdictional telecommunications public utilities in Pennsylvania that offer special access or other similar jurisdictionally-mixed telecommunications services but report zero gross intrastate revenues.

Public Meeting held
November 8, 2018

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

Policy Statement Regarding the Reporting of Intrastate Operating Revenues for Section 510 Assessment Purposes by Jurisdictional Telecommunications Carriers Offering Special Access and Other Similar Jurisdictionally-Mixed Telecommunications Services; M-2018-3004578

Proposed Policy Statement

By the Commission:

Pursuant to the Public Utility Code (Code), 66 Pa.C.S. §§ 101—3316, the Commission has regulatory authority over all public utilities and certain licensed entities operating and providing service to the public in Pennsylvania. In particular, the Commission has full regulatory authority over all Commission-certificated telecommunications carriers offering intrastate telecommunications services, whether it is on a retail or wholesale basis.¹ Moreover, no person or corporation that is a public utility under Pennsylvania law may offer telecommunications service to the public in Pennsylvania without first obtaining, from the Commission, a Certificate of Public Convenience (CPC) based on a finding that the service is necessary or proper for the service, accommodation, convenience or safety of the public. 66 Pa.C.S. §§ 1102-1103. All telecommunications carriers holding a CPC in Pennsylvania are subject to the Commission's regulatory, investigative, enforcement, audit and information gathering authority, 66 Pa.C.S. §§ 501, 504—506, and 516, including the Commission's authority under Section 510 of the Code, 66 Pa.C.S. § 510 to impose assessments upon these carriers to cover their "reasonable share" of the costs of administering the Code.

Through the Section 510 assessment process, each telecommunications carrier holding a CPC is assessed and is obligated to pay for the reasonable costs attributable to the regulation of all Commission-certificated telecommunications carriers. For the Commission's 2017-18 fiscal year, the total costs of administering the Code was \$60.7 million for all utilities and licensed entities. Based

¹ The Commission's regulatory reach over wireless carriers and Voice-over-Internet Protocol carriers is more circumscribed. See 66 Pa.C.S. § 102(2)(iv) and 73 P.S. § 2251.1.

on employee time records for direct costs and a revenue-based allocation of indirect costs, the sub-total attributable to the regulation of all Commission-certificated telecommunications carriers was \$5.9 million. By statute, the allocation of the Commission's indirect costs is based on each carrier's intrastate revenues. See 66 Pa.C.S. § 510(b)(2). Therefore, if some carriers fail to accurately report their intrastate revenues, the burden of their cost of regulation to be recovered through the assessment is improperly shifted to all other certificated telecommunications carriers.

The Commission is proposing this policy statement to provide guidance regarding the reporting of gross intrastate operating revenues for Section 510 assessment purposes by jurisdictional telecommunications public utilities in Pennsylvania that offer special access or other similar jurisdictionally-mixed telecommunications services but report zero gross intrastate revenues.² These services often are provided by Competitive Access Providers (CAP), but also, are provided by other telecommunications public utilities in Pennsylvania, including Incumbent Local Exchange Carriers (ILEC). As explained herein, these carriers are obligated file their de facto gross intrastate revenues³ with the Commission. The Commission is proposing this policy statement in order to assist these carriers in complying with their statutory obligations to file their Section 510 revenues report on March 31 of each year and to pay a reasonable share of the Commission's costs of administering the Public Utility Code.

Specifically, we propose to amend 52 Pa. Code Chapter 69 to include Section 69.3701. This section will incorporate the policy determination that Commission-jurisdictional providers of special access or other similar jurisdictionally-mixed telecommunications services that report zero gross intrastate revenues are obligated to report their de facto gross intrastate operating revenues with the Commission on March 31 of each year, and are obligated to pay a reasonable share of the costs of administering the Public Utility Code. Further, it will be the Commission's position that the Federal Communications Commission's (FCC) ten percent contamination rule does not preempt or otherwise preclude these carriers' obligation to report their de facto gross intrastate operating revenues or the associated obligation, under Section 510, to pay a reasonable share of the costs of administering the Public Utility Code.

In addition, the Commission is proposing this policy statement to provide guidance to Commission-jurisdictional providers of special access or other similar jurisdictionally-mixed telecommunications services who report gross intrastate revenues to the Commission from other intrastate services but may not be reporting such revenues from special access or other similar jurisdictionally-mixed telecommunications services. It will be the Commission's position that the FCC's ten percent contamination rule does not preempt or otherwise preclude these carriers' obligation to report, as part of their gross intrastate operating revenues, their de facto gross intrastate operating revenues from providing special access or other similar jurisdictionally-mixed telecommunications services in Pennsylvania. The Commission further

² Pending the final appellate disposition of our jurisdiction over Distributed Antenna Systems or DAS providers, this would include the services provided by those DAS operators who have been certificated by the Commission. See *Crown Castle NG East LLC, et al. v. Pa. Public Utility Commission*, 188 A.3d 617 (Pa. Cmwlth. 2018), 2018 Pa. Commw. LEXIS 217, allocatur pending, *Crown Castle NG East LLC, et al. v. Pa. Public Utility Commission* 447 MAL 2018.

³ De facto gross intrastate operating revenues are those operating revenues that are billed, charged or otherwise due for all telecommunications services and traffic between points that are both located within the Commonwealth of Pennsylvania.

directs that the proposed policy statement be published in the *Pennsylvania Bulletin* for comment by interested parties.

Background

The Commission's Fiscal Office, the Bureaus of Technical Utility Services, Investigation & Enforcement, and Audits, and the Law Bureau (Staff) identified some telecommunications carriers certificated as CAPs who reported revenues inconsistently or repeatedly reported zero intrastate revenues. Accordingly, the Commission requested Staff to undertake an inquiry to examine the carriers' claims of zero intrastate revenues. As part of this inquiry, on September 7, 2018, Staff issued to all carriers who reported zero intrastate revenues a Secretarial Letter setting forth a comprehensive set of inquiries examining the basis for some carriers' claims of zero intrastate revenues.

Specifically, Staff sought information necessary to examine the factual bases and analyze the legal theories underlying the carriers' claims of zero reportable intrastate revenue. As their legal basis, a majority of the zero reporters referred to the FCC's ten percent contamination rule (discussed in more detail below) as their rationale and justification for reporting zero intrastate revenues to the Commission.

Regulation of Telecommunications Carriers

Telecommunications services are regulated by a combination of rules from the United States Congress, the FCC, state legislatures and state public utility commissions (PUC). The state legislatures define the activities or services that state PUCs have the authority to regulate and the manner in which entities that provide such services are certificated. See generally *Bethlehem Steel Corp. v. Pa. Public Utility Commission*, 713 A.2d 1110 (Pa. Super. 1998). While the federal Communications Act of 1934 (the 1934 Act), as amended, codified at 47 U.S.C. §§ 151 et seq., established "a system of dual state and federal regulation over telephone service," it also preserved state authority to regulate intrastate telecommunications and specifically denied the FCC jurisdiction to regulate wholly "intrastate" telecommunication services. 47 U.S.C. § 152(b); see *Louisiana Pub. Serv. Comm'n v. FCC*, 476 U.S. 355, 360 (1986) (*Louisiana PSC*); cf. *Smith v. Illinois Bell Tel. Co.*, 282 U.S. 133, 148-51 (1930).

The General Assembly, via enactment of the Code, has granted the Commission the authority to supervise and regulate all public utilities doing business within this Commonwealth. 66 Pa.C.S. § 501(b). Moreover, the Commission has the authority to regulate those public utilities that are offering intrastate telecommunications, whether on a retail or wholesale basis. See *Application of Sprint Communications Company L.P. for Approval of the Right to Offer, Render, Furnish or Supply Telecommunications Services as a Competitive Local Exchange Carrier to the Public in the Service Territories of Alltel Pennsylvania, Inc., Commonwealth Telephone Company and Palmerton Telephone Company*, Docket Nos. A-310183F0002AMA et al. (Order entered December 1, 2006); see also 66 Pa.C.S. § 3012 (intrastate telecommunications service consists of local exchange telecommunications, intrastate, inter-exchange services or [intrastate] toll services, and [intrastate] access telephone service [switched or special] to the public for compensation) (emphasis added).

In particular, pursuant to Chapter 30, the Commission has the authority to regulate telecommunications public utilities that offer special access services that provide point-to-point telecommunications service to customers

via dedicated lines, many but not all of which are certificated as CAPs in Pennsylvania. 66 Pa.C.S. § 3012. The Commission acknowledges that the network facilities and equipment used by CAP and other carriers to provide intrastate telecommunications services to customers are often used to provide interstate telecommunications services as well. Hence, a special access circuit, which may carry both interstate and intrastate communications, implicates regulation at both the federal and state levels.

Facilities that are capable of providing communications between interstate end points as well as intrastate end points are deemed to be "mixed-use" or "jurisdictionally-mixed" facilities and, conceivably, are within the jurisdiction of both state and federal authorities. See, e.g., MTS and WATS Market Structure Amendment of Part 67 of the Commission's Rules and Establishment of a Joint Board, CC Docket Nos. 78-72, 80-286, Memorandum Opinion and Order on Reconsideration and Order Inviting Comments, 1 FCC Rcd 1287 (1987); Petition for Emergency Relief and Declaratory Ruling Filed by the BellSouth Corporation, 7 FCC Rcd 1619, 1620, ¶ 7 (1992) (*BellSouth MemoryCall*); *Southwestern Bell Tel. Co. v. FCC*, 153 F.3d 523, 543 (8th Cir. 1998).

Treatment of Mixed-Use Services

Mixed-use or jurisdictionally-mixed services are generally subject to dual federal/state jurisdiction, except where it is impossible or impractical to separate the service's intrastate components from its interstate components, and the state regulation of the intrastate component interferes with valid federal rules or policies. See, e.g., See *Louisiana PSC*, 476 U.S. at 368 (1986) (citing *Florida Lime & Avocado Growers, Inc. v. Paul*, 373 U.S. 132 (1963)); *National Ass'n of Regulatory Util. Comm'rs v. FCC*, 737 F.2d 1095, 1114-15 (D.C. Cir. 1984); *Computer & Communications Industry Association v. FCC*, 693 F.2d 198, 214-18 (D.C. Cir. 1982) (*CCIA*), cert. denied, 461 U.S. 938 (1983); *Qwest Corp. v. Minnesota Pub. Utils. Comm'n*, 380 F.3d 367, 374 (8th Cir. 2004); *BellSouth MemoryCall*, 7 FCC Rcd at 1622-23, ¶¶ 18-19.

Recognizing that conflicts may emerge when dealing with "mixed-use" facilities, the 1934 Act "established a process designed to resolve what is known as 'jurisdictional separations' matters, by which process it may be determined what portion of an asset is employed to produce or deliver interstate as opposed to intrastate service." *Louisiana PSC*, 476 U.S. at 375 (citing 47 U.S.C. §§ 221(c), 410(c)). The United States Supreme Court explained that "[b]ecause the separations process literally separates costs such as taxes and operating expenses between interstate and intrastate service, it facilitates the creation or recognition of distinct spheres of regulation." *Id.* Pursuant to Section 221(c) of the 1934 Act, the FCC promulgated regulations entitled "Jurisdictional Separations Procedures" to delineate the appropriate jurisdictions for itself and state regulators of mixed-used facilities. 47 U.S.C. § 221(c). According to the FCC, the procedures "are designed primarily for the allocation of property costs, revenues, expenses, taxes and reserves between state and interstate jurisdictions." 47 CFR § 36.1(b).

In 1989, the FCC revised the jurisdictional separations procedures for "mixed-use special access lines," which carry both interstate and intrastate traffic. See In the Matter of MTS and WATS Mkt. Structure, Amendment of Part 36 of the Commission's Rules and Establishment of a Joint Bd., 4 FCC Rcd 5660, ¶ 1 (1989) (Special Access 10% Order). The FCC explained that prior to this revision, "the cost of special access lines carrying both state

and interstate traffic [was] generally assigned to the interstate jurisdiction.” *Id.* at ¶ 2. This allocation was known as the “contamination doctrine”; where any interstate traffic was deemed to “contaminate” the service, even when the facilities involved were physically located intrastate. See In the Matter of MTS and WATS Mkt. Structure, Amendment of Part 36 of the Commission’s Rules and Establishment of a Joint Bd., 4 FCC Rcd 1352, ¶ 5, n.14 (1989) (10% Recommendation).

The contamination doctrine was initially criticized because it deprived state regulators of authority over largely intrastate private line systems that carried only small amounts of interstate traffic. Special Access 10% Order, 4 FCC Rcd 5660, paragraphs 5-6. Therefore, the FCC adopted a bright-line administrative rule known as the “ten percent rule, under which interstate traffic is deemed de minimis when it amounts to ten percent or less of the total traffic on a special access line. Under the ten percent contamination rule, the cost of a mixed-use line is directly assigned to the interstate jurisdiction only if the line carries interstate traffic in a proportion greater than ten percent.” *Id.* at ¶¶ 2, 6-7; see also 47 CFR §§ 36.154(a)-(b). Accordingly, if ten percent or more of the traffic on a mixed-use special access line is interstate, then all of the traffic for that line is considered interstate; in other words, the 90% of a carrier’s traffic that is in fact geographically intrastate is deemed to be interstate for jurisdictional separations purposes. Under this scenario, however, a carrier’s traffic also may be considered to be 90% de facto intrastate.

The FCC concluded that the new rule would “resolve existing concerns in a manner that reasonably recognizes state and federal regulatory interests and fosters administrative simplicity and economic efficiency.” Special Access 10% Order, 4 FCC Rcd 5660, ¶ 6 (footnote omitted). Accordingly, if the interstate traffic is greater than the ten percent threshold the carrier has to file a tariff with the FCC for such service. See 47 CFR § 36.154(a).

Preemption and Jurisdictionally-Mixed Services

Based upon their responses to our Secretarial letter, it appears that those jurisdictional telecommunications public utilities in Pennsylvania offering special access or other similar jurisdictionally-mixed telecommunications services⁴ report zero gross intrastate revenues to the Commission because it is their belief that the FCC has exclusive jurisdiction over special access lines implicated by the ten percent contamination rule. Nevertheless, given the differing purposes of the FCC’s ten percent contamination rule and the Section 510 assessment process, the Commission believes that the ten percent contamination rule does not preempt the Commission from requiring jurisdictional telecommunications carriers to file their de facto gross intrastate operating revenues with the Commission for their mixed-use access lines in order to pay their reasonable share of the costs of administering the Code pursuant to Section 510.

The federal government may preempt state law in one of three ways. First, Congress may explicitly state its intent to preempt state action. See, e.g., *Jones v. Rath Packing Co.*, 430 U.S. 519, 525 (1977). Second, courts may imply congressional intent to preempt state action where federal legislation completely occupies a given field. See, e.g., *Rice v. Santa Fe Elevator Corp.*, 331 U.S. 218, 230 (1947). Finally, preemption may be implied where the state action would actually conflict with the federal law or its purposes. See, e.g., *Florida Lime & Avocado*

Growers, Inc. v. Paul, 373 U.S. 132, 142-43 (1963); *Hines v. Davidowitz*, 312 U.S. 52, 67 (1941). The U.S. Supreme Court, in *New York Blue Cross v. Travelers Ins.*, 514 U.S. 645 (1995) (*NY Blue Cross*), summarized the scope of federal preemption analysis as follows:

[T]he Supremacy Clause, U.S. Const., Art. VI, may entail preemption of state law either by express provision, by implication, or by a conflict between federal and state law. . . . And yet, despite the variety of these opportunities for federal preeminence, we have never assumed lightly that Congress has derogated state regulation, but instead have addressed claims of preemption with the starting presumption that Congress does not intend to supplant state law. . . . Indeed, in cases like this one, . . . we have worked on the “assumption that the historic police powers of the States were not to be superseded by the Federal Act unless that was the clear and manifest purpose of Congress.

NY Blue Cross, 514 U.S. at 654-55 (citations omitted). Upon review, we do not believe that the Commission is preempted from directing telecommunications public utilities to report their de facto gross intrastate revenues with the Commission for mixed-use access lines and from imposing a fiscal assessment based in part on those reports so that these carriers pay for the reasonable costs of administering the Public Utility Code.

While the federal government may preempt state law, the courts have indicated that they will reject preemption of state regulation where the FCC has declined to preempt state regulation in jurisdictionally-mixed areas and where there is no federal rule on point and the state action does not frustrate any important federal interest. See *Louisiana PSC*, 476 U.S. at 375; *Diamond Int’l Corp. v. FCC*, 627 F.2d 489, 493 (D.C. Cir. 1980) (permitting state regulation of mixed-use service within FCC’s authority); In the Matter of Filing and Review of Open Network Architecture Plans, 4 F.C.C.R. 1 ¶¶ 276, 277 (1988) (deciding to allow continuation of state tariffing of Complementary Network Services) (Open Network Order). Indeed, no court has ever determined that a state commission is preempted from imposing filing fees, annual maintenance fees, annual assessments or other administrative fees on a telecommunications public utility to cover the reasonable and allocated operating costs of the state commission and as a condition for maintaining its CPC or license granted by that state commission.

There is an illustrative federal appellate court case that addressed the issue of whether states are preempted from regulating “special access lines” deemed interstate pursuant to the ten percent contamination rule. In *Qwest Corporation v. Scott*, 380 F.3d 367 (2004) (*Scott*), the Minnesota Public Utilities Commission (Minnesota Commission) had issued an order requiring Qwest Corporation (Qwest) to provide reports regarding special access performance data to AT&T Communications of the Midwest (AT&T) and WorldCom, Inc. and Time Warner Telecom of Minnesota, LLC (collectively “WorldCom”), in accordance with WorldCom’s suggested requirements. In this case, the Eighth Circuit Court faced the issue of whether the Special Access 10% Order allocated between federal and state jurisdictions all regulatory authority over special access lines based on the ten percent traffic threshold or whether the FCC’s intent with the Order was more limited.

The Eighth Circuit Court determined that the ten percent rule set forth in the Special Access 10% Order did

⁴ This includes the services provided by operators of Distributed Antenna Systems or DAS who have been certificated by the Commission.

not preempt the Minnesota Commission's reporting requirements for special access lines. First, the Court determined that the jurisdictional separations process is one part of a larger regulatory process for rate regulation and therefore, neither the jurisdictional separations process, nor the larger regulatory framework in which it exists, is generally designed to confer exclusive regulatory power. The Court noted that the District of Columbia Circuit Court (DC Circuit Court) in *Illinois Bell* recognized that the regulatory accounting treatment of a telecommunications service as interstate or intrastate does not necessarily negate the mixed-use character of the service for purposes of regulating other aspects of that service.⁵ The Eighth Circuit Court found the *Illinois Bell* case instructive and agreed with the DC Circuit Court's analysis.

Additionally, the Eighth Circuit Court focused on the Special Access 10% Order itself and determined that it was plainly concerned with cost allocation.⁶ The Court also noted that the codification of the Special Access 10% Order likewise referred only to costs, without any mention of other regulatory authority. See 47 CFR §§ 36.154(a)-(b). Furthermore, the Eighth Circuit Court noted that the U.S. Supreme Court also has spoken of "distinct spheres of regulation" that are recognized by the jurisdictional separations process, but it has done so in connection with questions of cost allocation and rate regulation. *Louisiana PSC*, 476 U.S. at 375 (citing *Smith*, 282 U.S. 133, 51 S. Ct. 65, 75 L. Ed. 255). Moreover, the Eighth Circuit further noted that the Joint Board explained in recommending the ten percent rule, "[t]he fundamental principles of separations were described by the Supreme Court in [*Smith*], which holds that the separation of telephone company plant is necessary to proper rate regulation." *10% Recommendation*, 4 F.C.C.R. 1352 at ¶ 33 (citation omitted) (emphasis added). Accordingly, the Eighth Circuit Court concluded that when the Special Access 10% Order is read as a whole, the Commission's expressed intent to preempt state regulation does not extend to performance measurements and standards.

Thus, in *Scott*, the Eighth Circuit Court determined that the FCC's orders concerning the ten percent contamination rule were consistent with the Court's view that jurisdictional separations procedures generally are designed to allocate costs only and regulatory authority over ratemaking, rather than plenary regulatory authority over a telecommunications service. The Eighth Circuit Court concluded that when the *Special Access 10% Order* is read as a whole, the FCC's expressed intent to preempt state regulation does not extend to performance measurements and standards. Therefore, the Eighth Circuit Court reversed the district court's grant of a permanent injunction

as to applicability of the Minnesota Commission's performance standards to the interstate special access lines.

Likewise, the FCC has not preempted the Commission's authority to direct telecommunications public utilities to report their de facto gross intrastate revenues with the Commission for mixed-use special access lines and to impose a fiscal assessment so that these carriers pay for the reasonable costs attributable to the Commission's administration of the Public Utility Code, which includes various degrees of regulation of telecommunications carriers. While preemption may be implied where the state action actually conflicts with the federal law or frustrates its purposes, there is no such conflict or frustration of purpose with directing telecommunications public utilities to report their de facto gross intrastate revenues with the Commission for mixed-use access lines for regulatory assessment purposes. The FCC's orders concerning the ten percent contamination rule are consistent with the Commission's view that jurisdictional separations procedures generally are designed to allocate costs only and regulatory authority over ratemaking, rather than plenary regulatory authority over a telecommunications service. Thus, when the Special Access 10% Order is read as a whole and within the context of other substantive orders in which the FCC has addressed preemption, the FCC's intent to preempt state regulation is limited to cost allocation and ratemaking and has not extended to a state's assessment of certificated carriers in order to recover from those carriers the Commission's cost of administering the Public Utility Code.

Based on these cases, the Commission concludes that the ten percent contamination rule is an administrative rule for certain jurisdictional cost allocations that deems all services to be interstate if a ten percent threshold is met. While any attempted regulation of the rates, terms and conditions of service for telecommunications services that are deemed to be interstate is likely to be preempted, the FCC has not gone so far as to preempt a state's authority to impose annual fiscal assessments or any other administrative fees to cover the cost of a state commission's operations as they pertain to telecommunications public utilities and, in particular, the use of de facto intrastate revenues as the metric to allocate those costs among the telecommunications carriers certificated by that state commission.

Section 510 Assessment Process

In Pennsylvania, the General Assembly established an annual fiscal assessment process, based on both records of direct employee hours and an allocation of indirect costs based on the relative size of each public utility, as the primary means to cover the costs of operation of the Commission. Hence, the Code directs the Commission to impose annual fiscal assessments upon public utilities and a concomitant statutory obligation on public utilities holding a CPC to pay, via such assessments, their reasonable share of the Commission's cost of administering the Public Utility Code. 66 Pa.C.S. § 510.

In order to compute the annual fiscal assessment, in addition to Commission employee direct hours data for each industry group, the Commission receives necessary data relating to each public utility's gross intrastate operating revenue in Pennsylvania from the utilities from the assessment report. In particular, each public utility is required to file, on or before March 31 of each year, a statement under oath reporting the utility's "gross intrastate operating revenues for the preceding calendar year." 66 Pa.C.S. § 510(b). Per Section 309 of the Public Utility

⁵ See *Illinois Bell*, 883 F.2d at 114. In that particular case, which involved the marketing of a mixed-use service, the DC Circuit Court rejected an argument that assignment to the intrastate jurisdiction of certain costs associated with marketing controlled whether the FCC could preempt state regulatory authority over the manner in which the services were marketed. *Id.* at 113-14. Instead, that court viewed the allocation of costs through a jurisdictional separation proceeding and the regulation of marketing practices by the FCC as independent matters.

⁶ The Court stated that the Special Access 10% Order begins by noting that "[a]t present, the cost of special access lines carrying both state and interstate traffic is generally assigned to the interstate jurisdiction." *Special Access 10% Order*, 4 F.C.C.R. 5660 at ¶ 2 (emphasis added), and ultimately "adopt[s] the Joint Board's recommendations for the separation of investment in mixed use special access lines." *Id.* at ¶ 8 (emphasis added). The Joint Board, whose reasoning was adopted by the FCC, likewise framed its recommendation as a matter of cost allocation. It began its discussion by noting that a "variety of options might be used to separate special access costs," *10% Recommendation*, 4 F.C.C.R. 1352 at ¶ 22 (emphasis added), and then expressed its final view in similar terms: "Based on a careful review of the record in this proceeding, we conclude that direct assignment of special access costs is superior to an allocation-based approach in terms of administrative simplicity and economic efficiency." *Id.* at ¶ 25 (emphasis added).

Code, 66 Pa.C.S. § 309, the Commission's plenary investigative authority over entities and matters within its jurisdiction includes the power to compel the production of information as deemed necessary or proper in any investigation. In addition, pursuant to Sections 504 and 505 of the Public Utility Code, 66 Pa.C.S. §§ 504-505, the Commission may require any public utility to file such reports and to furnish such records, documents and information as may be necessary in aid of any inspection, examination, inquiry, investigation or hearing.⁷

In order to compute the precise assessment for each public utility, Section 510(b) provides for a four-step calculation process based on employee time records for direct costs and a revenue-based allocation of indirect costs.⁸ For any public utility that fails to file a timely actual revenue statement, the Commission is required to estimate the revenue, and the estimated gross operating revenue is used to calculate that utility's assessment, along with the allocation of the total assessment among all public utilities operating in the Commonwealth.

Accordingly, the plain intent of the General Assembly is that each public utility lawfully doing business in Pennsylvania with a Commission-issued CPC "shall advance to the commission its reasonable share of the costs incurred in connection with the administration and enforcement of [the Public Utility Code] and any other statute." 66 Pa.C.S. § 510(f). In this statutory scheme, the General Assembly has chosen intrastate revenues as the metric by which a public utility's "reasonable share" of the costs incurred for the telecommunications industry is allocated.

In Pennsylvania, the General Assembly could have chosen a number of different mechanisms and metrics to allocate the costs of regulation, such as filing fees for applications and other pleadings, annual license or certificate maintenance fees, annual assessments based on the relative size of each public utility or other types regulatory fees designed to cover the costs of administering and regulating a utility's services. The General Assembly chose to adopt a system of annual fiscal assessments that is based on both direct hours of staff time devoted to each industry group and the intrastate revenues of each industry group to develop a per public utility assessment fee (supplemented by modest filing fees) as its allocation metrics to recover the cost of administering the Code from all certificated telecommunications carriers operating in the Commonwealth.

Accordingly, the imposition of an annual fiscal assessment to recover each telecommunications carrier's reasonable share of the costs of administering the Code is in no sense an actual or attempted regulation of the rates, terms or conditions of service for the services whose intrastate revenues are deemed to be interstate pursuant to the FCC's ten percent contamination rule. Thus, if an entity is offering intrastate telecommunications public utility service in Pennsylvania, it is subject to an annual

fiscal assessment based, in part, on its intrastate revenues in order to determine its reasonable share of the cost of the Commission's operations, and payment of that assessment as a condition of maintaining its CPC or license in Pennsylvania.

Conclusion

Section 510 requires that each telecommunications carrier holding a CPC is obligated to report its gross intrastate operating revenues on March 31st of each year and to pay an appropriate assessment, based on those revenues, to cover the reasonable costs attributable to the regulation of telecommunications carriers. Based upon the Commission's analysis to date, neither the FCC nor the courts have determined or held that the states lack the authority to impose annual fiscal assessments, annual licensing fees, filing fees or other charges to cover the costs incurred by state commissions for the regulation of state-certificated telecommunications carriers. As such, the FCC's ten percent contamination rule does not preempt or otherwise bar the Commission from imposing an annual fiscal assessment based on a telecommunications carriers' de facto intrastate revenues to cover the costs of administering the Public Utility Code.

Based on the foregoing, the Commission is not precluded from imposing impose filing fees, license maintenance fees, annual fiscal assessments or any other administrative fees, separately or in combination, to recover the costs incurred to cover the cost of the Commission's operations. Accordingly, the FCC's ten percent contamination rule does not exempt telecommunications carriers holding CPCs issued by the Commission from their obligation under Section 510 to report their total gross intrastate operating revenues,⁹ under oath, in order to accurately compute the assessment; does not nullify the Commission's authority to impose and telecommunication carriers' concomitant obligation to pay the annual fiscal assessment pursuant to Section 510; and does not preclude the obligation of telecommunication carriers to report their gross intrastate operating revenues, under oath, in order to accurately compute the assessment.

Lastly, we note here that while this a policy statement provides guidance regarding the reporting of gross intrastate operating revenues by telecommunication carriers for assessment purposes, any final decision on the precise amount of an assessment to be imposed on an individual telecommunications carrier, if challenged, will be made only after a formal adjudication that follows the notice, objection and hearing procedures provided for in Section 510(c). 66 Pa.C.S. § 510(c). This is a statement of general policy reserving our discretion to act in future individual cases, based on the facts and arguments presented in those cases, and is not a final, binding rule on the Commission; *Therefore,*

It Is Ordered That:

1. The Commission adopt the proposed policy statement as set forth in Annex A.
2. The Law Bureau shall deposit this order and Annex A with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Comments to the Order and Annex A shall be filed within 45 days of the date of publication in the *Pennsylvania Bulletin*. Reply comments are due within 60 days of the date of publication in the *Pennsylvania Bulletin*.

⁷ For illustration purposes only, such records and information may include, but is not limited to, the traffic studies, tax returns, jurisdictional allocation formulas and factors, books of account, reports or other information used to determine and verify interstate vs. Pennsylvania-intrastate revenues.

⁸ In order to compute the precise assessment for each public utility, Section 510(b) provides for a four-step calculation in which the Commission: (1) determines and assigns expenditures dedicated to the group of utilities to which the specific public utility belongs based on Commission employee direct hours for each industry group; (2) determines the balance of total expenditures, after direct costs are assigned, and assigns portions of the balance among groups of utilities in accordance with the proportion of their revenue to the total revenue sum for all utilities; (3) allocates a share of the total assessment to each utility group, in proportion to the expenditures assigned to the group; and (4) allocates a share of the assessment of the group to each utility, in proportion to the revenue of the utility to the total revenue sum of the public utilities in its group. 66 Pa.C.S. § 510(b)(1)-(4). The resulting assessment rate is subject to an appeal and review process in the form of a utility's filing objections on the grounds that the assessment is "excessive, erroneous, unlawful, or invalid." 66 Pa.C.S. § 510(c).

⁹ For example, if a telecommunications carrier has total operating revenues of \$1,000,000 for the 2018 calendar year, and 12% of the revenues was from traffic that was interstate and the other 88% was from traffic that was PA intrastate, that carrier must report, on the Section 510 assessment report due on March 31, 2019, the sum of \$880,000 as its de facto gross intrastate operating revenues.

4. This Order and Annex A shall also be posted on the Commission's web site.

5. The contact person is David E. Screven, Assistant Counsel, Law Bureau, (717) 787-2126, dscreven@pa.gov.

ROSEMARY CHIAVETTA,
Secretary

Fiscal Note: 57-324. No fiscal impact; (8) recommends adoption.

Statement of Vice Chairperson Andrew G. Place

Before us for disposition is the Staff recommendation for the issuance of a Proposed Policy Statement (Policy Statement) regarding the potential fiscal assessment under Section 510 of the Public Utility Code of special access service revenues where relevant special access circuits are classified as interstate under currently applicable Federal Communications Commission (FCC) regulations. This Policy Statement would also apply to other similar jurisdictionally mixed telecommunications services and their respective providers that operate under this Commission's jurisdiction.

The Policy Statement introduces the concept of the de facto gross intrastate operating revenues for such jurisdictionally mixed services that can be subject to this Commission's fiscal assessments under Section 510, to include revenues derived from special access circuits and services that have been classified as interstate under the FCC's "10% contamination rule." This would affect the gross intrastate revenue reporting for fiscal assessment purposes of various providers of jurisdictionally mixed special access services or other similar services including competitive access providers (CAPs), competitive local exchange carriers (CLECs), and incumbent local exchange carriers (ILECs). These providers do or may classify special access circuits and corresponding services as totally interstate under the FCC's "10% contamination rule." Consequently, although these providers furnish jurisdictionally mixed services within this Commonwealth under the regulatory oversight of this Commission, their relevant federally classified special access service revenues are not currently reported for intrastate fiscal assessment purposes under Section 510.

The concept of the de facto gross intrastate operating revenues includes "those operating revenues that are billed, charged or otherwise due for all telecommunications services and traffic between points that are both located within the Commonwealth of Pennsylvania." State fiscal assessments—such as those that are imposed and calculated under Section 510—are used for the funding of legitimate regulatory oversight operations of state utility regulatory agencies including this Commission. As such, they have a different purpose than revenue assessments that are designated via statute and/or regulation for the funding of the federal and state universal service fund (USF) mechanisms. However, the federal and state USF mechanism assessments still follow certain jurisdictional separation guidelines that specifically categorize assessable interstate and intrastate revenues.¹⁰ Similarly, such jurisdictional separation and corresponding revenue classification is factored into the calculation of federal regulatory fees that are charged by the FCC for its own regulatory operations.

Consequently, I encourage the participating parties, the various categories of telecommunications carriers and communications providers as well as their respective

associations, to provide comments that are supported by applicable legal rationales and appropriate technical explanations and address the following areas:

1. Whether and in what fashion existing jurisdictional separations rules are implicated in implementing the Proposed Policy Statement;

2. Whether the format and content of the Commission's annual fiscal Assessment Report should be modified so that it contains better information on the reportable de facto revenues (including information and data on special access revenues that are classified as interstate under the FCC's "10% contamination rule"); and

3. Whether the Commission should initiate a formal collaborative process between its Staff and the interested parties and entities in order to address this potential change of reportable revenues for Section 510 fiscal assessment purposes.

For the above-referenced reasons, I will be respectfully concurring in result only on the issuance of the Proposed Policy Statement.

ANDREW G. PLACE,
Vice Chairperson

ANNEX A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart C. FIXED SERVICE UTILITIES

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

§ 69.3701. Computation of Section 510 Assessments for Providers of Special Access or Other Similar Jurisdictionally-Mixed Telecommunications Services.

(1) Telecommunications carriers, including Competitive Access Providers (CAPs), holding Certificates of Public Convenience (CPC) issued pursuant to Sections 1102 and 1103 of the Public Utility Code (Code), 66 Pa.C.S. §§ 1102-1103, are public utilities subject to the Commission's regulatory, investigative, enforcement, audit and information gathering authority, 66 Pa.C.S. §§ 501, 504, 505, 506, and 516, as well as the Commission's authority under Section 510 of the Code, 66 Pa.C.S. § 510 to impose assessments upon these carriers to cover their "reasonable share" of the costs of administering the Public Utility Code.

(2) Section 510(b) of the Code requires every public utility holding a CPC from the Commission to file, on March 31 of each year, a statement, under oath, showing its gross intrastate operating revenues for the preceding calendar year and to pay to the Commission its proportionate share of the amount assessed to each utility group based on its total gross intrastate revenues.

(3) CAPs and other telecommunications public utilities holding Commission-issued CPCs are obligated by Section 510 of the Code to file assessment reports with the Commission showing their gross intrastate operating revenues and to pay to the Commission their proportionate share of the amount assessed to the telecommunications utility group based on each carrier's total gross intrastate revenues.

(4) CAPs and other telecommunications public utilities holding Commission-issued CPCs in Pennsylvania provide, among other things, special access or other similar jurisdictionally-mixed telecommunications services. Under

¹⁰ See, e.g., *Texas Office of Public Utility Counsel, et al v. F.C.C.*, 183 F.3d 393 (5 Cir. 1999), at 409, 447. See also *AT&T v. Eachus*, 174 F.Supp.2d 1119 (D. Or. 2001).

current Pennsylvania law, these jurisdictionally-mixed services include services provided by operators of Distributed Antenna Systems (DAS).

(5) Certain telecommunications public utilities in Pennsylvania who are providing special access or other similar jurisdictionally-mixed telecommunications services, including some DAS operators, repeatedly have reported zero gross intrastate revenues to the Commission for regulatory assessment purposes. As their legal basis, a majority of the zero reporters refer to the ten percent contamination rule of the Federal Communications Commission (FCC) to justify reporting zero gross intrastate revenues to the Commission. Under this rule, which is an administrative jurisdictional cost allocation rule, the cost of a mixed-use line is directly assigned to the interstate jurisdiction only if the line carries interstate traffic in a proportion greater than ten percent.

(6) Other telecommunications public utilities in Pennsylvania who report gross intrastate revenues to the Commission may not be reporting gross intrastate revenues from providing special access or other similar jurisdictionally-mixed telecommunications services.

(7) Any CAP or other telecommunications public utility holding a Commission-issued CPC operating in Pennsylvania and providing special access or other similar jurisdictionally-mixed telecommunications services is obligated to submit its de facto gross intrastate revenues from providing these services to the Commission's Fiscal Office, along with all supporting information (such as

traffic studies, tax returns, jurisdictional allocation formulas and factors, books of account, reports, etc.) on which the carrier bases its revenue determination, so that the Fiscal Office can ascertain the carrier's de facto gross intrastate operating revenues and compute an accurate assessment in accordance with the metrics and requirements of Section 510 of the Code.

(8) De facto gross intrastate operating revenues are those operating revenues that are billed, charged or otherwise due for all telecommunications services and traffic between points that are both located within the Commonwealth of Pennsylvania.

(9) The ten percent contamination rule established by the FCC, which is an administrative rule for certain jurisdictional cost allocations, does not preempt or otherwise nullify the Commission's authority to impose and a telecommunications public utility's concomitant obligation to pay the annual fiscal assessment required by Section 510 of the Code. Nor does the rule preempt or otherwise preclude the obligation of CAPs and other telecommunications public utilities to report their de facto gross intrastate operating revenues from providing special access or other similar jurisdictionally-mixed telecommunications services, without regard to any intrastate revenues deemed to be interstate pursuant to the ten percent contamination rule.

[Pa.B. Doc. No. 19-294. Filed for public inspection March 1, 2019, 9:00 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Interstate Quarantine Order; Importation Requirements for Virus Control for Virulent or Exotic Newcastle Disease

Recitals.

A. Under the authority established in the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389) and specifically the authority to establish quarantine orders as set forth at section 2329 of the Domestic Animal Law (3 Pa.C.S.A. § 2329(c)), the Department hereby establishes an Interstate Quarantine Order related to the shipment of poultry and poultry products from states where Virulent or Exotic Newcastle Disease has been detected, there is reasonable suspicion it exists or it has been confirmed, into the Commonwealth of Pennsylvania.¹

B. This Interstate Quarantine Order is established to address Virulent or Exotic Newcastle Disease. These viruses are easily spread within poultry, and are communicable to humans.

C. Newcastle Disease is designated a “dangerous transmissible disease” of animals under the provisions of the Domestic Animal Law (3 Pa.C.S.A. §§ 2301—2389), at 3 Pa.C.S.A. § 2321(d).

D. The Pennsylvania Department of Agriculture (Department) has broad authority under the Domestic Animal Law to regulate the keeping and handling of domestic animals in order to exclude, contain or eliminate dangerous transmissible diseases.

E. Virulent or Exotic Newcastle Disease has caused significant, wide-spread loss to the poultry industry in states in which it has been detected and confirmed.

F. Virulent or Exotic Newcastle Disease is of concern to the entire Pennsylvania poultry industry as it may cause wide-spread loss of poultry, severely limit the market for Pennsylvania product and cause severe economic damage to the poultry industry in Pennsylvania.

G. The Domestic Animal Law allows, at 3 Pa.C.S.A. § 2329(c), for an Interstate Quarantine Order to be established for any place or places outside of the Commonwealth where a dangerous transmissible disease has been reported or exists, or whenever it is deemed advisable to test or treat any domestic animal upon the reasonable suspicion that it has contracted or been exposed to a dangerous transmissible disease or whenever the testing or treatment of a domestic animal indicates that the domestic animal has been exposed to a dangerous transmissible disease. In addition, a quarantine order may apply to goods, products, facilities, containers, vehicles or materials that may carry a dangerous transmissible disease or be contaminated with a hazardous substance.

Order.

In consideration of the previous recitals, and with those recitals incorporated into this Order by reference, the Department hereby establishes an Interstate Quarantine under authority of the Domestic Animal Law, at 3 Pa.C.S.A. § 2329(c), and section 1702 of The Administra-

tive Code of 1929 (71 P.S. § 442). The following are the conditions and requirements of this Interstate Quarantine Order:

1. *Quarantine Area.* The area covered by this Interstate Quarantine Order is the entire Commonwealth, all poultry premises in the Commonwealth and all states in which Virulent or Exotic Newcastle Disease has been detected, there is a reasonable suspicion it exists or it has been confirmed

2. *Applicability.* The terms of this Order are applicable to the Quarantine Area.

3. *Poultry.* For purposes of this Order, poultry shall include chickens, turkeys, waterfowl and any other species of bird and their eggs that may contract or harbor Virulent or Exotic Newcastle Disease virus.

4. No poultry from any county of a state where Virulent or Exotic Newcastle Disease has been detected, there is reasonable suspicion it exists or it has been confirmed in the last 12 months may be shipped into the Commonwealth of Pennsylvania, either directly, through a dealer, via another state or by any other means unless such poultry shall have complied with and met the standards established in paragraph 5 of this Order.

5. Poultry moving into the Commonwealth of Pennsylvania from any county of a state where Virulent or Exotic Newcastle Disease has been detected, there is reasonable suspicion it exists or it has been confirmed in the last 12 months shall only be allowed into the Commonwealth under the following circumstances:

a. All poultry moving into the Commonwealth of Pennsylvania shall meet the seventy-two hour testing, paperwork and reporting requirements as established in subsections b and c. of this paragraph 5.

b. The poultry moving into the Commonwealth of Pennsylvania shall originate from a flock in which a minimum of thirty (30) birds, three (3) weeks of age or older, were tested negative on cloacal swabs for waterfowl or oropharyngeal/tracheal swabs for other species for Newcastle Disease, Avian Paramyxovirus-1, or Virulent or Exotic Newcastle Disease by virus isolation or polymerase chain reaction (PCR) at a participating National Animal Health Laboratory Network facility. The date of sample collection shall be within seventy-two hours prior to the date of entry into Pennsylvania by a Category II accredited veterinarian, state or federal animal health official, or a licensed certified poultry technician. If there are fewer than 30 birds in the flock, all birds shall be tested. No untested birds shall have been added to the flock after sample collection and prior to entry into Pennsylvania. For birds or eggs from birds which shall be tested using virus isolation, the seventy-two hour period for entry into Pennsylvania will begin when virus isolation results are reported from the laboratory.

c. The poultry and hatching eggs of poultry being imported into Pennsylvania to meet the requirements of this Quarantine Order shall be documented on one of the following forms: a NPIP 9-3 (or equivalent) form, an Owner Endorsed Avian International Health Statement or a Certificate of Veterinary Inspection (CVI). The testing laboratory name and test accession number(s) shall be included on the NPIP 9-3 (or equivalent) form, Owner Endorsed Avian International Health Statement or CVI. A copy of the NPIP 9-3 (or equivalent) form, Owner Endorsed Avian International Health Statement or CVI

¹ As of the date of this Notice establishing the Interstate Quarantine Order, Virulent or Exotic Newcastle Disease has been detected or confirmed in California (Los Angeles, Riverside, San Bernardino, and Ventura Counties) and Utah (Utah County); the status of these states and others is subject to change.

including the testing laboratory name and test accession number and a copy of the laboratory report shall also be sent to PDA (Pennsylvania Department of Agriculture, Bureau of Animal Health and Diagnostic Services, 2301 North Cameron Street, Harrisburg, PA 17110) within seven days after shipment. If poultry or hatching eggs are shipped in containers through the USPS, Federal Express, United Parcel Service or by any other courier, the 9-3 (or equivalent) form, the Owner Endorsed Avian International Health Statement or CVI shall be affixed to the outside of the container and shall be clearly visible and legible.

d. Eggs shall be moved using only containers which have been thoroughly cleaned and disinfected. The source flock of birds that contributed to the egg shipment shall also meet the testing requirement in paragraph 5(b) and paperwork requirement in paragraph 5(c).

6. Poultry three (3) weeks of age and older, imported into the Commonwealth, shall meet all other import

requirements required under the Department's regulations available through <http://www.agriculture.pa.gov/>.

7. Contact information regarding this Interstate Quarantine Order is to the Commonwealth of Pennsylvania, Bureau of Animal Health, 2301 North Cameron Street, Harrisburg, PA 17110 or by telephone at 717-772-2852, or email at RA-ahds@pa.gov.

8. This Order shall not be construed as limiting the Department's authority to establish additional quarantine or testing requirements on imported poultry and/or poultry products.

9. This Order shall be effective upon actual service or publication in the *Pennsylvania Bulletin*.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 19-295. Filed for public inspection March 1, 2019, 9:00 a.m.]

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending February 19, 2019.

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

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
02-14-2019	CNB Bank Clearfield Clearfield County	827 Hopkins Road Amherst Erie County, NY	Withdrawn
02-14-2019	CNB Bank Clearfield Clearfield County	1669 West Fifth Avenue Columbus Franklin County, OH	Withdrawn
02-19-2019	Orrstown Bank Shippensburg Cumberland County	1400 Gilbert Way Lancaster Lancaster County	Opened
02-19-2019	Noah Bank Elkins Park Montgomery County	350 North Broadway, Unit 352 Jericho Nassau County, NY	Filed

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
02-13-2019	Mid Penn Bank Millersburg Dauphin County	<i>To:</i> 5049 Jonestown Road Harrisburg Dauphin County <i>From:</i> 5500 Allentown Boulevard Harrisburg Dauphin County	Filed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 19-296. Filed for public inspection March 1, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications.

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062481 (Sewage)	Thomas Finn SRSTP 20 Canal Road Easton, PA 18042	Northampton County Williams Township	Delaware River (2-D)	Yes
PA0029483 (Sewage)	Buck Hill Falls Wastewater Treatment Plant 4231 Valley View Road Buck Hill Falls, PA 18323-0426	Monroe County Barrett Township	Buck Hill Creek (1-E)	Yes
PA0062880 (Sewage)	Kidspace Orchard Hills Campus 5300 Kidspace Drive Orefield, PA 18069	Lehigh County North Whitehall Township	Jordan Creek (2-C)	Yes
PAS202205 (Storm Water)	Fabricated Components Manufacturing P.O. Box 431 2044 West Main Street Stroudsburg, PA 18360-0431	Monroe County Stroud Township	Pocono Creek and Little Pocono Creek (1-E)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0228079 (Sewage)	Kissimmee Village 13 N Main Street Middleburg, PA 17842	Snyder County Franklin Township	Unnamed Tributary to Middle Creek (6-A)	Yes
PA0060208 (Sewage)	Nelson Township Authority Sewer Plant P.O. Box 100 328 Bliss Road Nelson, PA 16940-0100	Tioga County Nelson Township	Cowanesque River (4-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0218723 (Sewage)	Blacklick Valley Municipal Authority P.O. Box 272 Twin Rocks, PA 15960-0272	Indiana County Buffington Township	Blacklick Creek (18-D)	Yes
PA0217301 (Sewage)	Jerome WTP 1120 Tire Hill Road Johnstown, PA 15905	Somerset County Conemaugh Township	Unnamed Tributary of Quemahoning Creek (18-E)	Yes
PA0096652 (Sewage)	PA Motor Speedway 170 Kelso Road McDonald, PA 15057-2124	Allegheny County North Fayette Township	Half Crown Run (20-F)	Yes
PA0094315 (Sewage)	Pittsburgh Spay & Vaccination Clinic 110 Sandy Creek Road Verona, PA 15147-1728	Allegheny County Penn Hills Township	Sandy Creek (18-A)	Yes
PA0090786 (Sewage)	Hempfield Park STP 124 Park & Pool Road New Stanton, PA 15672	Westmoreland County Hempfield Township	Unnamed Tributary to Brush Creek (19-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>
PA0221945 (Sewage)	Eagle Crest Manor MHP 6761 Mercer Pike Meadville, PA 16335-5667	Crawford County Union Township	Unnamed Tributary to Conneaut Outlet (16-D)	Yes

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

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

PA0050431, Industrial, SIC Code 2086, **Refresco North America**, 20 Aldan Avenue, Concordville, PA 19342. Facility Name: Refresco Beverages IWTP. 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 Industrial Waste.

The receiving stream, 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 .364 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 6.0	XXX	XXX	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	XXX	110
Total Dissolved Solids	3,036.0	6,072.0	XXX	1,000.0	2,000.0	2,500
Oil and Grease	45.5	Daily Max 91.1	XXX	15.0	Daily Max XXX	30.0
Total Phosphorus	3.0	IMAX 6.1	XXX	1.0	2.0	2.5
		Daily Max			Daily Max	

The proposed effluent limits for Outfall 101 are based on a design flow of 0.07 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	0.75
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	12.0	24.0	XXX	20.0	40.0	50
Total Suspended Solids	18.0	36.0	XXX	30.0	60.0	75
Ammonia-Nitrogen						
Nov 1 - Apr 30	3.5	7.0	XXX	6.0	12.0	15
May 1 - Oct 31	1.2	2.4	XXX	2.0	4.0	5

The proposed effluent limits for Outfall 201 are based on a design flow of 0.288 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	24.0	48.0	XXX	10.0	20.0	25
Total Suspended Solids	24.0	48.0	XXX	10.0	20.0	25
Total Nitrogen	24.0	48.0	XXX	10.0	20.0	25
Ammonia-Nitrogen						
Nov 1 - Apr 30	14.4	28.8	XXX	6.0	12.0	15
May 1 - Oct 31	4.8	9.6	XXX	2.0	4.0	5
Antimony, Total	XXX	XXX	XXX	Report	XXX	XXX
Cadmium, Total	0.0019	0.0038	XXX	0.0008	0.0016	0.002
Selenium, Total	0.012	0.024	XXX	0.005	0.01	0.013
Thallium, Total	0.0005	0.0010	XXX	0.0002	0.0004	0.0005

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

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permit Conditions
- D. BAT/ELG Reopener
- E. Chlorine Minimization
- F. Small Stream Discharge

- G. 2° Change in the Temperature
- H. Chemical Additives Condition
- I. Stormwater 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.

PA0244422, Storm Water, SIC Code 4011, **Norfolk Southern Railway Co.**, 1200 Peachtree Street NE, Atlanta, GA 30309-0013. Facility Name: Norfolk Southern King of Prussia Facility. This existing facility is located in Upper Merion Township, **Montgomery County**.

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

The receiving stream(s), Schuylkill River and Crow Creek, is located in State Water Plan watershed 3-F 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 and 004 are based on stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. 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, Total	XXX	XXX	XXX	XXX	Report	XXX
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on stormwater.

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

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

- I. Stormwater Outfalls and Authorized Non-Stormwater Discharges
- II. BMPs
- III. Routine Inspection
- IV. PPC Plan
- V. Stormwater Monitoring Requirements
- VI. Other 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.

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

PA0041742, Sewage, SIC Code 4952, **Nazareth Borough Municipal Authority Northampton County**, P.O. Box A, Nazareth, PA 18064-0450. Facility Name: Nazareth Borough WWTP. This existing facility is located in Lower Nazareth Township, **Northampton 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), Shoeneck Creek, is located in State Water Plan watershed 1-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 1.6 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	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 6.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	334	534	XXX	25.0	40.0	50
May 1 - Oct 31	200	307	XXX	15.0	23.0	30
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	400	600	XXX	30.0	45.0	60
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen						
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	72.1	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	60	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	20	XXX	XXX	1.5	XXX	3
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	41.4	XXX	XXX	Report	XXX	XXX
Cyanide, Free (ug/L)	XXX	XXX	XXX	9.2	XXX	23
Zinc, Total	XXX	XXX	XXX	0.21	XXX	0.42

The proposed effluent limits for Outfall 001 are based on a design flow of 1.6 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 Quarterly</i>	<i>Maximum</i>	
Carbon Tetrachloride	XXX	XXX	XXX	Report	XXX	XXX
Dichlorobromomethane	XXX	XXX	XXX	Report	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5 Avg Mo	XXX	1.5

The proposed effluent limits for Outfall 001 are based on a design flow of 1.6 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Carbon Tetrachloride	XXX	XXX	XXX	Report	XXX	XXX
Dichlorobromomethane	XXX	XXX	XXX	Report	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.39 Avg Mo	XXX	1.3

The proposed effluent limits for Outfall 001 are based on a design flow of 1.6 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>	
Total Dissolved Solids	Report	XXX	XXX	1,000.0 Avg Qrtly	XXX	1,000
Copper, Total	XXX	XXX	XXX	Report Avg Qrtly	XXX	XXX

Sludge use and disposal description and location(s): Biosolids are used for agricultural utilization at the Nazareth Borough Municipal Authority under Permit PAG-08 2205.

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

- Wet Testing
- UV disinfectant starting at the third year

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

The EPA Waiver is not in effect.

PA0047198-A1, Sewage, SIC Code 6512, **NP New Castle LLC**, 4825 NW 41st Street, Suite 500, Riverside, MO 64150-7806. Facility Name: Schuylkill Mall STP. This existing facility is located in New Castle Township, **Schuylkill County**.

Description of Existing Activity: The application is for NPDES permit amendment and transfer for an existing discharge of treated Sewage to reduce minimum monitoring frequencies for DO, TRC, and pH. No other changes requested. The WQM Permit No. 5478403-T2 will be transferred with the final NPDES Permit.

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

The EPA Waiver is in effect.

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

PA0083917, Industrial, SIC Code 3069, **Edge Rubber Recycling LLC**, 811 Progress Road, Chambersburg, PA 17201-3257. Facility Name: Edge Rubber. This existing facility is located in Chambersburg Borough, **Franklin County**.

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

The receiving stream(s), Unnamed Tributary to Conococheague Creek, is located in State Water Plan watershed 13-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .06 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	Report
Temperature (deg F) (°F)	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .06 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
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

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

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Zinc, Total	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

PA0083704, Industrial, SIC Code 4941, **Shippensburg Borough Authority**, P.O. Box 129, Shippensburg, PA 17257-0129. Facility Name: Gunter Valley Water Treatment Plant. This existing facility is located in Lurgan Township, **Franklin County**.

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

The receiving stream(s), Trout Run, is located in State Water Plan watershed 7-B and is classified for Exceptional Value Waters, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0851 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
			Daily Min			
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75
Aluminum, Total	Report	Report	XXX	4.0	8.0	10
Iron, Total	Report	Report	XXX	2.0	3.0	5
Manganese, Total	Report	Report	XXX	1.0	1.5	2.5

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.

PA0248215, Sewage, SIC Code 6514, **Shane V Keefer**, 90 E Main Street, Walnut Bottom, PA 17266. Facility Name: Keefer SRSTP. This existing facility is located in Upper Frankford Township, **Cumberland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

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

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

PA0248452, Sewage, SIC Code 6514, **Paul W Gettel**, 1107 Enola Road, Carlisle, PA 17013-8722. Facility Name: Gettel SRSTP. This existing facility is located in North Middleton Township, **Cumberland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 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
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

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

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

Application No. PA0088404 A-1, Concentrated Animal Feeding Operation (CAFO), **Kulp Family Dairy LLC (Kulp Family Dairy CAFO)**, 1691 Millerstown Road, Martinsburg, PA 16662-8020.

Kulp Family Dairy LLC has submitted an application for an Individual NPDES permit for an amendment of an CAFO known as Kulp Family Dairy CAFO, located in North Woodbury Township, **Blair County**.

The CAFO is situated near Unnamed Tributary to Clover Creek, Unnamed Tributary of Clover Creek, and Unnamed Tributary of Little Juniata River in Watershed 11-A, which is classified for Migratory Fishes, High Quality—Cold Water, Warm Water Fishes, High Quality Waters—Cold Water Fishes, and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 4,606.6 animal equivalent units (AEUs) consisting of 2,527 dairy cows and 825 calves. Manure is stored in multiple concrete manure tanks and lagoons. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

Application No. PA0247600, Concentrated Animal Feeding Operation (CAFO), **Martin David H (David Martin Farm CAFO)**, 420 Nottingham Road, Nottingham, PA 19362-9024.

Martin David H has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as David Martin Farm CAFO, located in Little Britain Township, **Lancaster County**.

The CAFO is situated near Little Conowingo Creek and Unnamed Tributary to Little Conowingo Creek in Watershed 7-K, which is classified for High Quality—Cold Water, High Quality Waters—Cold Water Fishes, and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 723.88 animal equivalent units (AEUs) consisting of 4,400 grow—finish pigs and 68,000 pullets. Manure is stored in an underbarn manure storage, while pullet manure is stored in the barn. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

Application No. PA0259900, Concentrated Animal Feeding Operation (CAFO), **Bryan D Byers (Bryan Byers Farm CAFO)**, 81 Four Pines Road, Quarryville, PA 17566-9799.

Bryan D Byers has submitted an application for an Individual NPDES permit for a renewal of an CAFO known as Bryan Byers Farm CAFO, located in East Drumore Township, **Lancaster County**.

The CAFO is situated near Conowingo Creek in Watershed 7-K, which is classified for High Quality—Cold Water and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 130.2 animal equivalent units (AEUs) consisting of 37,600 ducks. Manure is stored in a circular concrete round tank located outside of the duck barns. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

PA0260754, Sewage, SIC Code 6514, **Thomas Stewart**, 1321 Enola Road, Carlisle, PA 17013-8786. Facility Name: Stewart SRSTP. This existing facility is located in North Middleton Township, **Cumberland County**.

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

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

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

PA0248193, Sewage, SIC Code 6514, **Melissa K Adams**, 101 Shatto Drive, Carlisle, PA 17013-2120. Facility Name: Adams SRSTP. This existing facility is located in North Middleton Township, **Cumberland County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 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
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

The EPA Waiver is in effect.

PA0261904, Sewage, SIC Code 6514, **Conley Brian K**, 5149 Herbst Road, Red Lion, PA 17356-8354. Facility Name: Conley Res & Apt. This existing facility is located in North Hopewell Township, **York 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), UNT North Branch Muddy Creek, is located in State Water Plan watershed 7-I and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0008 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	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 717-705-4732.

The EPA Waiver is in effect.

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

PA0020486, Sewage, SIC Code 4952, **Bellefonte Borough Authority**, 236 W Lamb Street, Bellefonte, PA 16823-1502. Facility Name: Bellefonte Borough Authority Wastewater Treatment Plant. This existing facility is located in Bellefonte Borough, **Centre 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), Spring Creek, is located in State Water Plan watershed 9-C and is classified for High Quality—Cold Water, High Quality Waters—Cold Water Fishes, and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.22 MGD.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	670	1,070 Wkly Avg	XXX	25.0	40.0	50

<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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	805	1,200 Wkly Avg	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)						
Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	240	360 Wkly Avg	XXX	9.0	13.5	18
May 1 - Oct 31	80	120 Wkly Avg	XXX	3.0	4.5	6
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)						
Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Bis(2-Chloroethyl)Ether (ug/L)	0.03	0.06	XXX	1.30	2.60 Daily Max	3.25

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Monthly</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>	
Total Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)						
Effluent Net	XXX	58,812 Total Annual	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	XXX	Report Total Annual	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)						
Effluent Net	XXX	7,842 Total Annual	XXX	XXX	XXX	XXX

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

Sludge use and disposal description and location(s): Biosolids are managed and land applied under beneficial use NPDES Permit No. PAG084814.

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

The EPA Waiver is not in effect.

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

PA0272019, Sewage, SIC Code 4952, 8800, **Nora Kreider**, 11396 Sharp Road, Waterford, PA 16441. Facility Name: Nora Kreider SRSTP. This proposed facility is located in Waterford Township, **Erie County**.

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

The receiving stream is Trout Run, located in State Water Plan watershed 16-A and classified for High Quality Waters—Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
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	1,000

The primary tank is scheduled for sludge removal every two to four years with off-site disposal.

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

The EPA Waiver is in effect.

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

PA0255351, Industrial, SIC Code 5999, **The Home City Ice Company**, 3399 Industrial Boulevard, Bethel Park, PA 15102. Facility Name: The Home City Ice Company. This proposed facility is located in Bethel Park Borough, **Allegheny County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of the overflow of potable water used in the manufacturing of ice and condensate from a condenser unit.

The receiving stream(s), Unnamed Tributary to Piney Fork, is located in State Water Plan watershed 19-C and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0072 MGD.—Permit Effective Date (PED) to 1 Year following PED Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0 Daily Min	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Copper, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Silver, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .0072 MGD.—1 Year following PED to 3 Years following PED 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>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.046	XXX	0.108
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Copper, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Silver, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .0072 MGD.—3 Years following PED to Permit Expiration Date Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.046	XXX	0.108
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Copper, Total (ug/L)	XXX	XXX	XXX	24.0	37.5	XXX
Iron, Total	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Silver, Total (ug/L)	XXX	XXX	XXX	13.9	21.7	XXX
Zinc, Total (ug/L)	XXX	XXX	XXX	196.0	307.0	XXX

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

- A Water Quality Management (WQM) permit application must be submitted to construct and operate the proposed treatment facilities.

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.

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

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

WQM Permit No. 4807405A-1, Sewage, **Hickory Hills Mobile Home Community**, 121 Hickory Hills Drive, Bath, PA 18014-2162.

This existing facility is located in Moore Township, **Northampton County**.

Description of Proposed Action/Activity: The project is for the replacement of a 30,000 gpd treatment train at the wastewater treatment plant, including: a packaged aeration tank, clarifier, and sludge holding tank along with other associated appurtenances. Currently, there are two 30,000 gpd treatment trains at the facility. After construction is completed, one of the existing treatment trains will be cleaned out and abandoned. The capacity of the WWTP remains unchanged as a result of this project.

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

WQM Permit No. 8806-S A-1, Sewage, **Upper Yoder Township Cambria County**, 4th Floor, Public Sfty Bldg, Johnstown, PA 15901.

This existing facility is located in West Taylor Township, **Cambria County**.

Description of Proposed Action/Activity: Replacement of Girard Street Pump Station with a new submersible type pump station.

WQM Permit No. 6319403, Sewage, **Southern Amy D**, 9691 Old Steubenville Pike, Bulgar, PA 15019, Chartiers Township, **Washington County**.

The following notice reflects changes to the notice published in the October 6, 2018 edition of the *Pennsylvania Bulletin*: The permittee proposes to install a Singulair Bio-Kinetic Model 960 SRSTF in lieu of a septic tanks sand filter system previously permitted under WQM Permit No. WQG01631802, to replace a malfunctioning on-lot system.

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

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

PAI132226, MS4, **Emmaus Borough Lehigh County**, 28 S 4th Street, Emmaus, PA 18049-3802. 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 Emmaus Borough, **Lehigh County**. The receiving stream(s), Little Lehigh Creek, Unnamed Tributary to Leibert Creek, Unnamed Tributary to Little Lehigh Creek, and Leibert Creek, is located in State Water Plan watershed 2-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-826-5472.

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

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

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

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390009	Dorney Park & Wildwater Kingdom 3830 Dorney Park Rd Allentown, PA 18104	Lehigh	S Whitehall Twp	Cedar Creek (HQ-CWF, MF)

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>
PAD400026	Presidential Land Co Ltd Frank Pedriani 95 S Main Rd Mtn Top, PA 18707	Luzerne	Fairview Twp	Big Wapwallopen Creek (HQ-CWF)

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480016	Lafayette College 901 Bushkill Dr Easton, PA 18042	Northampton	Easton City	Bushkill Creek (HQ-CWF, MF)

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

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD050006	Leon Shirk 743 Walnut Street New Holland, PA 17557	Bedford	Monroe Township	Bushy Fork (HQ, CWF) UNT Elk Lick Creek (HQ, CWF)
PAD210028	US Army— Carlisle Barracks Garrison 330 Engineer Avenue Carlisle, PA 17013-5006	Cumberland	Middlesex Township North Middletown Township	LeTort Spring Run (HQ-CWF)

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD360014	Grace Investment Holdings, LP 2119 Marietta Avenue Lancaster, PA 17603	Lancaster	Drumore Township	Fishing Creek (EV, MF) EV Wetlands
PAD4400903	Phillips Ultrasound Inc. 1 Echo Drife Reedsville, PA 17084	Mifflin	Armagh Township	Tea Creek (HQ-CWF, MF)

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

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140043	Columbia Gas of Pennsylvania, Inc. 1600 Colony Road York, PA 17408	Centre	Ferguson Twp	UNT Spruce Creek HQ-CWF UNT Big Hollow CWF, MF
PAD140044	State College Borough Water Authority 1201 West Branch Road State College, PA 16801	Centre	Ferguson Twp	Beaver Branch HQ-CWF

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>
Dale Frank 3167 Bossler Rd Elizabethtown, PA 17022	Lancaster	500	1.43	Swine/Beef	NA	R
Bleacher Farms LLC 1206 Breneman Rd Conestoga, PA 17516	Lancaster	80.6	254.34	Layer	NA	R
Future View Farms, LLC— Jeff Frey 13 Radcliff Rd Willow Street, PA 17584	Lancaster	600	633.83	Swine/Goats	NA	R

<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>
Rohrer Dairy Farms, LLC 124 Charlestown Rd Washington Boro, PA 17582	Lancaster	1,037.6	2,811.12	Dairy	NA	R
Mount Rock Dairy LLC Alan Waybright 473 Mount Rock Road Newville, PA 17241	Cumberland	144.7	2,618.5	Cows	NA	New

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

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

SAFE DRINKING WATER

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

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

Permit No. 3619502, Public Water Supply.

Applicant	Sunny Crest Homes Inc
Municipality	Caernarvon Township
County	Lancaster
Responsible Official	Mary Farber 2587 Valley View Road Morgantown, PA 19543
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
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Application Received:	1/10/2019
Description of Action	New well (Well No. 2) and modification of the 4-log treatment of viruses demonstration.

Permit No. 2219502, Public Water Supply.

Applicant	Capitol Region Water
Municipality	Harrisburg
County	Dauphin
Responsible Official	Michael McFadden, Water System Superintendent 100 Pine Drive Harrisburg, PA 17101
Type of Facility	Public Water Supply
Consulting Engineer	Jamie R. Shambaugh, P.E. Gannett Fleming, Inc. P.O. Box 67100 Harrisburg, PA 17106-7100

Application Received:	2/1/2019
Description of Action	Implementation of additional control measures through Combined Filter Effluent (CFE) and Individual Filter Effluent (IFE) turbidity performance treatment credits due to the Long Term 2 (LT2) Bin 2 classification of the Susquehanna River source and the requirement of an additional 1-log inactivation of Cryptosporidium.

Permit No. 2119501, Public Water Supply.

Applicant	Jaymee Lee's Quick Stop, LLC
Municipality	Lower Mifflin Township
County	Cumberland
Responsible Official	Richard N. Walker Sr, Owner 348 Doubling Gap Road Newville, PA 17241
Type of Facility	Public Water Supply

Consulting Engineer Craig J. Zack, P.E.
KPI Technology
143 Carlisle Street
Gettysburg, PA 17325

Application Received: 2/5/2019

Description of Action The installation of greensand filtration for Fe & Mn removal treatment, softening and UV disinfection.

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

Permit No. 6519503, Public Water Supply.

Applicant **Municipal Authority of the City of New Kensington**
920 Barnes Street
New Kensington, PA 15068

[Township or Borough] New Kensington

Responsible Official James Matta, General Manager
Municipal Authority of the City of New Kensington
920 Barnes Street
New Kensington, PA 15068

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.
1004 Ligonier Street
Box 853
Latrobe, PA 15650

Application Received Date February 13, 2019

Description of Action Installation of a mixing system in the 10 MG Reservoir water tank.

Permit No. 6519504, Public Water Supply.

Applicant **Municipal Authority of the City of New Kensington**
920 Barnes Street
New Kensington, PA 15068

[Township or Borough] Lower Burrell Township

Responsible Official James Matta, General Manager
Municipal Authority of the City of New Kensington
920 Barnes Street
New Kensington, PA 15068

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co., Inc.
1004 Ligonier Street
Box 853
Latrobe, PA 15650

Application Received Date February 13, 2019

Description of Action Installation of a mixing system in the Braeburn water tank.

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

Permit No. 4300503-T1-MA14, Public Water Supply.

Applicant **Aqua PA**

Township or Borough Hermitage City

County **Mercer**

Responsible Official James Willard

Type of Facility Public Water Supply

Consulting Engineer Robert Horvat
Engech Engineering Inc
400 Rouser Road
Bldg 2
Ste 200
Coraopolis, PA 15108

Application Received Date February 4, 2019

Description of Action Construction of new water storage tank at site of Boyd Booster Pump Station.

Permit No. 1619501, Public Water Supply.

Applicant **St. Petersburg Borough Municipal Water Authority**

Township or Borough Richland Township

County **Clarion**

Responsible Official William Logue

Type of Facility Public Water Supply

Consulting Engineer Marty English, P.E.
The EADS Group
15392 Route 322
Clarion, PA 16214

Application Received Date February 8, 2019

Description of Action New Treatment Plant and replacement of water distribution mains.

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. 0219503MA, Minor Amendment.

Applicant **Wilksburg-Penn Joint Water Authority**
2200 Robinson Boulevard
Pittsburgh, PA 15221

[Township or Borough] Penn Hills Township

Responsible Official Nick Bianchi, Executive Director
Wilksburg-Penn Joint Water Authority
2200 Robinson Boulevard
Pittsburgh, PA 15221

Type of Facility Water system

Consulting Engineer MS Consultants, Inc.
333 Rouser Road
Airport Office Park # 4
Second Floor
Coraopolis, PA 15108

Application Received Date January 30, 2019

Description of Action Painting and rehabilitation of the Braddock Hills A & B tanks; and the Lougeay Road water storage tank.

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.

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

WA 55-432C, Water Allocations. **McClure Municipal Authority**, P.O. Box 138, McClure, PA 17841, McClure Borough, **Snyder County**. Application to renew the current allocation permit 55-432B.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

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

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

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

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

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

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

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

Hershey Plaza Apartments, 215 West Chocolate Avenue, Hershey, PA 17033, Derry Township, **Dauphin County**. ATC Group Services, LLC, 3 Terri Lane, Suite 4, Burlington, NJ 08016, on behalf of Hershey Plaza PA TC, LP, 4000 Key Tower, 127 Public Square, Cleveland, OH 44114-1309, submitted a Notice of Intent to Remediate site soil and groundwater contaminated with tetrachloroethene, benzo(a)pyrene, and inorganics. The site will be remediated to the Residential Statewide Health and Background Standards. Future use of the site will remain mixed residential and commercial. The Notice of Intent to Remediate was published in *The Patriot News* on February 5, 2019.

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

Kelly Residence, 53 South 4th Street, Lewisburg Borough, **Union County**. Molesevich Environmental, LLC, P.O. Box 654, Lewisburg, PA 17837, on behalf of William J. and Jacqueline L. Kelly, 53 South 4th Street, Lewisburg, PA 17837, has submitted a Notice of Intent to Remediate site soil contaminated with # 2 heating oil and 1,2,4-Trimethylbenzene. The applicant proposes to remediate the site to meet the Site-Specific and Statewide Health Standards. A summary of the Notice of Intent to Remediate was published in *The Daily Item* on December 31, 2018.

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

162 Seneca School Road Property, 162 Seneca School Road, Jackson Township, **Erie County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Santander Bank, NA, 2 Morrissey Boulevard, Dorchester, MA 02125-3312, submitted a Notice of Intent to Remediate. During tank removal, it was discovered a release of No. 2 fuel occurred impacting site soil. The Statewide Health Standard has been selected for remediation of the site. The intended future use of the property is currently unknown. The Notice of Intent to Remediate was published in *The Butler Eagle* on January 28, 2019.

EQT Hazel Stake 1, Round Top Road (Lat. 40° 34' 23.38"N Long. -79° 04' 49.66"W), Brush Valley Township, **Indiana County**. SE Technologies, LLC, 98 Vanadium Road, Building D, Bridgeville, PA 15017, on behalf of EQT Corporation, 625 Liberty Avenue, Pittsburgh, PA 15222-3111, submitted a Notice of Intent to Remediate. During a

site inspection, conditions at the site indicated a release of brine/well bore fluids occurred impacting site soil. A combination of the Site-Specific, Statewide Health, & Background Standards has been selected for remediation. The intended future use of the property will be non-residential. The Notice of Intent to Remediate was published in the *Indiana Gazette* on January 9, 2019.

RESIDUAL WASTE GENERAL PERMITS

Application(s) received for the Renewal of a Determination of Applicability 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 No. WMGR096SW003. Redevelopment Authority of Allegheny County, One Chatham Center, Suite 900, 112 Washington Place, Pittsburgh, PA 15219. Carrie Furnace Redevelopment Site, Carrie Furnace Boulevard, Rankin, PA 15104. A permit renewal application for continued coverage under residual waste general permit WMGR096 for beneficial use of regulated fill as a construction material in Rankin and Swissvale Boroughs, **Allegheny County**, was deemed administratively complete by the Southwest Regional Office on February 14, 2019.

Comments concerning the application should be directed to the Waste Management Program Manager, DEP Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application for Determination of Applicability Received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.

General Permit Application No. WMGR081SE008. Keystone Memory Group, LLC, 2250 Cabot Boulevard West, Langhorne, PA 19047-1807. This general permit application is for a determination of applicability (DOA) under General Permit No. WMGR081SE008 to process and recycle waste electronics at its warehouse located at 2250 Cabot Boulevard West in Middletown Township, **Bucks County**. The application for determination of

applicability was accepted as administratively complete by the Southeast Regional Office on February 4, 2019.

Comments concerning the application should be directed to the Pennsylvania Department of Environmental Protection (“DEP”) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915. Persons interested in obtaining more information about the general permit application may contact the Southeast Regional Office by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application received under the Solid Waste Management Act of July 7, 1980 (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and regulations to operate a Solid Waste Processing or Disposal Area or Site.

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

Permit Application ID No. 101717. Boyd Roll-Off Services, Inc., 1107 Thompson Avenue, McKees Rocks, PA 15136. An application for expansion and modifications of the Boyd Transfer & Recycling Waste Transfer Facility, located in McKees Rocks Borough, **Allegheny County**, was received in the Regional Office on May 15, 2017.

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.

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

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

07-03064A: Cove Mountain Wood Products (4168 Cove Mountain Road, Roaring Spring, PA 16673) to authorize the installation and operation of two existing coating booths and millworking operations at the facility located in Taylor Township, **Blair County**. Potential emissions are projected to be: 25 tons per year of VOCs; 7.36 tons per year of HAPs; and less than one ton per year of PM. The facility is a State Only facility. The draft plan approval includes provisions that will allow for compliance with 25 Pa. Code § 129.52 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 applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement

(BAT) of 25 Pa. Code §§ 127.1 and 127.12; 25 Pa. Code § 129.52—Surface coating processes; and 25 Pa. Code § 129.51—General. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into an Operating Permit pursuant to the provisions of 25 Pa. Code Chapter 127.

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

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

OP18-000039: South Eastern Pennsylvania Transportation Authority, Berridge/Courtland Maintenance Shop (200 West Wyoming Avenue, Philadelphia, PA 19140) for the operation of a public transportation facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include: two each 10.043 MMBtu/hr Boilers; two each 5.021 MMBtu/hr Boilers; one 2.95 MMBtu/hr heater; one 3.95 MMBtu/hr heater; one 0.5 MMBtu/hr hot water heater; five each <0.72 MMBtu/hr pressure washers; three each 0.82 MMBtu/hr steam washers; two <0.63 MMBtu/hr space heaters; one 0.5 MMBtu/hr and one 1 MMBtu/hr Catalyst Regeneration Units; four each 0.305 MMBtu/hr unit heaters; twenty-seven solvent parts washers; three spray booths; two stage 2 vapor recovery units; two non-heatset printing presses; one 200 kW and one 561 kW emergency generator; two cyclone vacuums, and 258 kW two-engine dynamometers.

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

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

OPERATING PERMITS

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

Southcentral Region: Air Quality Program, 909 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.

36-05025: Texas Eastern Transmission LP, Marietta (1462 River Road, Marietta, PA 17547) to issue a Title V Operating Permit for the natural gas compressor station located in East Donegal Township, **Lancaster**

County. The actual emissions from the facility in 2017 year are estimated at 481.8 tpy of NO_x, 72.3 tpy of CO, 7.9 tpy of PM₁₀, 1.5 tpy of SO_x, 55.1 tpy of VOC, 17.5 tpy of Formaldehyde and 9.1 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart GG—Standards of Performance for Stationary Gas Turbines.

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

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

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

23-00050: Prospect CCMC LLC (175 E Chester Pike, Ridley Park, PA 19078) for renewal of the State Only Operating Permit for its Taylor Hospital, located in Ridley Park Borough, **Delaware County**. Sources at the facility comprise (5) five dual natural gas-No. 2 fuel oil fired boilers, with a combined rating of 25.1 MMBtu/hr and (2) two emergency generator engines, with generator ratings of 1,000 kW and 35 kW. The boilers are subject to the particulate matter limitations of 25 Pa. Code § 123.11(a)(1), fuel sulfur limitations of 25 Pa. Code § 123.22 and 40 CFR Part 63 Subpart JJJJJJ, National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers Area Sources. The engines are subject to the particulate matter limitations of 25 Pa. Code § 123.13, the sulfur oxides limitation of 25 Pa. Code § 123.21 and the additional NO_x requirements (1,000 kW only) of 25 Pa. Code §§ 129.203 and 129.204. The facility is a natural minor with the following potential to emit in tons/year: nitrogen oxides (NO_x)—22.32, volatile organic compounds (VOC)—1.87, particulate matter (PM)—2.57, carbon monoxide (CO)—6.95 and sulfur oxides (SO_x)—6.58. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

15-00029: Pactiv Packaging, Inc. (241 Woodbine Rd, Downingtown, PA 19335) for operation of their printing and paperboard assembly facility in Downingtown Borough, **Chester County**. The permit is for a non-Title V (State only) facility, with the Site-wide VOC emissions limited to 24.9 tons per 12-consecutive month period. Major sources of air emissions include seven (7) flexographic presses and support equipment. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

23-00077: County of Delaware/Fair Acres Complex (340 North Middletown Road, Lima, PA 19037) for operation of boilers and emergency generators on its grounds at Middletown Township, **Delaware County**. This action is a renewal of a State Only Operating Permit (Synthetic Minor). The permittee elects natural gas as the primary fuel for dual-fired boilers to escape the applicable requirements of 40 CFR Part 63 Subpart JJJJJJ. The proposed renewal contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

54-00090: Riverside Cremation Services, LLC (25 East Main Street, Schuylkill Haven, PA 17972). The Department intends to issue an initial State-Only Natural Minor Permit for the crematory located in Schuylkill Haven Borough, **Schuylkill County**. This facility operates a combustion unit with two chambers/burners. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

06-03004: Metropolitan Edison Co. (2800 Pottsville Pike, P.O. Box 16001, Reading, PA 19612-6001) to issue a State-Only Operating Permit for their emergency generators at the Met Ed Headquarters Building in Muhlenberg Township, **Berks County**. The subject facility has the potential-to-emit 4.2 tpy of NO_x, 0.9 tpy of CO, 0.3 tpy of SO_x, 0.3 tpy of PM, and 0.3 tpy of VOC. 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 Part 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

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

OP-65-00629: CBC Latrobe Acquisition, LLC (100 33rd Street, Latrobe, PA 15650-1477). In accordance with 25 Pa. Code §§ 127.424, and 127.425, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a renewal State Only Operating Permit (SOOP-65-00629) to CBC Latrobe Acquisition, LLC ("CBC") to authorize the continued operation of their contract brewery and packaging facility located in Latrobe Borough, **Westmoreland County**.

The CBC facility produces beer and malt beverages; however, they do not brew any product under their own label. The facility's air contamination sources consist of: Brewing Process, Grain Handling System, Wastewater Pretreatment Process, four (4) natural gas-fired Boilers each rated at 25.1 MMBtu/hr, and one (1) natural gas-fired Boiler rated at 4.08 MMBtu/hr. The other insignificant emission sources at CBC contain three (3) small Parts Washers, one (1) natural gas fired emergency generator rated at 82 bhp, and four (4) heating furnaces each rated at 1.2 MMBtu/hr. Emissions from the brewery are controlled by four (4) baghouses and emissions from the wastewater pretreatment plant are controlled by an enclosed ground flare rated at 15.88 MMBtu/hr.

Facility-wide potential emissions based on maximum throughput are estimated at 49.0 tons VOC, 52.0 tons

NO_x, 60.0 tons CO, 44.0 tons SO_x, 5.5 tons PM₁₀, and 2.0 tons HAPs. Actual emissions from the facility are much lower considering lower throughput.

This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121–145. The proposed SOOP renewal includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements. The emergency generator is subject to the applicable requirement of 40 CFR Part 63 Subpart ZZZZ.

The CBC State Only Operating Permit renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality State Only Operating Permit for this project 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 State Only Operating Permit renewal 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 State Only Operating Permit for this project, a person may contact Thomas Kaminski at thkaminski@pa.gov or 412.442.4097.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). Comments, requests for a public hearing, and protests must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (State Only Operating Permit 65-00629) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Comments, protests, and requests for a public hearing should be directed to Jesse S. Parihar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 (jparihar@pa.gov, Fax 412.442.4194).

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

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

25-01006: Lake Erie Biofuels, LLC DBA Hero BX (1540 E Lake Rd., Erie, PA 16511-1032). The Department

is providing notice that they intend to renew a State Only Natural Minor Operating Permit for the biofuels production facility located in the City of Erie, **Erie County**. The facility's primary emission sources include the two (2) natural gas-fired process steam boilers, the biodiesel production process, storage tanks, a high-pressure steam generator for the fatty acid stripper, a parts washer, an emergency generator, and an emergency fire pump. The potential emissions of the primary pollutants from the facility are as follows: 17.63 TPY (tons per year) NO_x, 25.78 TPY CO, 6.10 TPY VOC, 3.91 TPY total HAPs, 1.85 TPY PM₁₀ and PM_{2.5}, and 0.57 TPY SO_x; thus, the facility is a natural minor. The boilers are subject to 40 CFR 60 Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The biodiesel production process is subject to 40 CFR 60 Subpart VV, Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemical Manufacturing Industry (SOCMI), 40 CFR 60 Subpart NNN, Standards of Performance for Volatile Organic Compound (VOC) Emissions from SOCMI Distillation Operations, and 40 CFR 60 Subpart RRR, Standards of Performance for VOC Emissions from SOCMI Reactor Processes. The storage tanks are subject to 40 CFR 60 Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984. The two diesel-fired engines are subject to 40 CFR 60 Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

PLAN APPROVALS

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

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

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

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **Vita-Line Products Inc.** (1111 North Park Drive, Humboldt Industrial Park, Hazleton, PA 18202) for their facility to be located in Hazle Twp., **Luzerne County**. This Plan Approval No. 40-00123C will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 40-00123C is for the replacement of their existing odor control device with a larger unit with some additional duct location changes and larger fan.

The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for Visible emissions. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping

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

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 40-00123C and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Written comments or objections regarding a mining permit application should contain the name, address and

telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

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

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

Coal Applications Received

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

32041301 and NPDES No. PA0235644. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Brush Valley Mine in Center and Brush Valley Townships, **Indiana County** and related NPDES permit. Underground Acres Proposed 2,273.3 and Subsidence Control Plan Acres Proposed 2,342.3. No additional discharges. The application was considered administratively complete on February 11, 2019. Application received: January 22, 2019.

11031301 and NPDES No. PA0235539. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Madison Mine in Jackson, Cambria, Croyle, and Summerhill Townships, **Cambria County** and related NPDES permit. No additional discharges. The application was considered administratively complete on February 12, 2019. Application received: July 30, 2018.

30841316 and NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Bailey Mine and Preparation Plant in Richhill and Aleppo Townships, **Greene County** and related NPDES permit for the 6 South 3 Portal site and to add one (1) NPDES outfall, a sewage treatment plant, and eight (8) boreholes. Surface Acres Proposed 43.4. Receiving stream: South Fork Dunkard Fork classified for the following use: TSF. The application was considered administratively complete on February 13, 2019. Application received August 24, 2018.

30121301 and NPDES No. PA0236195. Consol Pennsylvania Coal Company LLC, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Harvey Mine in Richhill and Morris Townships, **Greene County** and related NPDES permit for installation of two (2) degas boreholes. Surface Acres Proposed 6.3. No additional discharges. The application was considered administratively complete on February 14, 2019. Application received: December 10, 2018.

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

Permit No. 56890101, Croner, Inc., 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 163.0 acres. Receiving streams: unnamed tributaries to/

and Buffalo Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 11, 2019.

Permit No. 56090102, PBS Coals, Inc., P.O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Somerset Township, **Somerset County**, affecting 83.5 acres. Receiving stream: Wells Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 11, 2019.

Permit No. 56080108 and NPDES No. PA0262692, PBS Coals, Inc., P.O. Box 260, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 377.7 acres. Receiving streams: unnamed tributary to Blue Lick Creek; unnamed tributary to Swamp Creek; and unnamed tributary to Buffalo Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 11, 2019.

Permit No. 56030106 and NPDES No. PA0249513, Heritage Coal & Natural Resources, LLC, 550 Beagle Road, Rockwood, PA 15557, permit renewal for the continued operation and restoration of a bituminous surface mine in Elk Lick Township, **Somerset County**, affecting 353 acres. Receiving streams: unnamed tributaries to/and Casselman River and unnamed tributaries to/and Elk Lick Creek, classified for the following uses: warm water fishes and cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 12, 2019.

Permit No. 11190101 and NPDES No. PA0279684, Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001, commencement, operation and restoration of a bituminous surface mine in Washington Township, **Cambria County**, affecting 161 acres. Receiving streams: unnamed tributaries to Little Conemaugh River, unnamed tributaries to Bear Rock Run and unnamed tributaries to Bear Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 8, 2019.

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

16190102 and NPDES Permit No. PA0280674, Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242) commencement, operation and

restoration of a bituminous surface mine in Porter Township, **Clarion County** affecting 68.0 acres. Receiving streams: Four unnamed tributaries to Redbank Creek and Leisure run, all classified for the following: CWF. The first downstream potable water supply intake from the point of discharge is Redbank Valley Municipal Authority. Application received: February 1, 2019.

24030102. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201) Renewal of an existing bituminous mine in Fox Township, **Elk County** affecting 172.5 acres. Receiving streams: Mill Run, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: February 13, 2019.

33110105. Strishock, LLC (P.O. Box 1006, DuBois, PA 15801) Revision to an existing bituminous surface mine to add 1.0 acre in Pine Creek Township, **Jefferson County** affecting 86.0 acres. Receiving streams: Unnamed tributary to Mill Creek, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: February 14, 2019.

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

41080101 and NPDES PA0256714. Fisher Mining Company, Inc. (40 Choate Circle, Montoursville, PA 17754). Permit renewal for continued operation and restoration of a bituminous surface coal mine located in Pine Township, **Lycoming County** affecting 254.0 acres. Receiving stream(s): Buckeye Run and Otter Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: February 5, 2019.

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

Permit No. 54100201R. Kuperavage Enterprises, Inc., (P.O. Box 99, Middleport, PA 17953), renewal and correction to work within 100 feet of an unnamed tributary to the Schuylkill River of an existing anthracite coal refuse reprocessing, refuse disposal and preparation plant operation in Blythe Township, **Schuylkill County** affecting 86.5 acres, receiving stream: unnamed tributary to Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: January 10, 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.

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

1479401. Graymont (PA) Inc. (375 Graymont Road, Bellefonte, PA 16823). Permit revision to mine one additional lift, deepening the ultimate pit floor elevation by 50 feet from 810' MSL to 760' MSL on an existing large noncoal mine located in Spring Township, **Centre County** affecting 257.8 acres. Receiving stream(s): Logan Branch and Nittany Creek classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: January 30, 2019.

14120302. Graymont (PA) Inc. (375 Graymont Road, Bellefonte, PA 16823). Permit revision to mine one additional lift, deepening the ultimate pit floor elevation by 50 feet from 810' MSL to 760' MSL on an existing large noncoal mine located in Spring Township, **Centre County** affecting 67.3 acres. Receiving stream(s): Unnamed Tributaries to Logan Branch classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: January 30, 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. PA0215562 (Mining Permit No. 30841602), Duquesne Light Company, (1800 Seymour Street, Pittsburgh, PA 15233-1134). A renewal to the NPDES and mining activity permit for the Warwick No. 2 Preparation Plant in Monongahela Township, **Greene County**. Surface Acres Affected 43.3. Receiving stream: Whiteley Creek, classified for the following use: TSF: Whiteley Creek TMDL. The application was considered administratively complete on September 29, 2016. Application received: May 6, 2016.

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

Outfall 002 discharges to: Whiteley Creek.

The proposed effluent limits for *Outfall 002* (Lat: 39° 49' 04" Long: -79° 57' 12") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.6	3.2	4.0
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
Selenium	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	100	100

Outfall 007 discharges to: Whiteley Creek.

The proposed effluent limits for *Outfall 007* (Lat: 39° 48' 59" Long: -79° 57' 19") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.6	3.2	4.0
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
Selenium	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Acidity, Total as CaCO ₃	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	100	100

EPA Waiver is not in effect.

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

NPDES No. PA0120944 (Mining Permit No. 56663069), Heritage Coal & Natural Resources, LLC, 550 Beagle Road, Rockwood, PA 15557, renewal of an NPDES permit for continued discharge of water related to surface coal mining and post-mining water treatment in Elk Lick & Summit Townships, **Somerset County**, affecting 3,040 acres. Receiving

streams: unnamed tributaries to/and Casselman River and unnamed tributaries to/and Elk Lick Creek, classified for the following uses: cold water fishes and warm water fishes. This receiving stream is included in the Casselman River TMDL. Application received: January 22, 2019.

The following outfalls discharge to unnamed tributaries to Casselman River.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005 (TF19)	N
008 (TF21)	N

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

<i>During All Weather Conditions 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 10.0 standard units at all times.

Alkalinity must exceed acidity at all times.

The following outfalls discharge to unnamed tributaries to Casselman River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
007 (TF03)	N
009 (TF22)	N
023 (TF23)	N
025 (TF24)	N
026 (TF25)	N
027 (TF26)	N

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

<i>During All Weather Conditions Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 10.0 standard units at all times.

Alkalinity must exceed acidity at all times.

The following outfalls discharge to unnamed tributary to Elk Lick Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
035 (TF27)	N
036 (TF28)	N

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

<i>During All Weather Conditions Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 10.0 standard units at all times.

Alkalinity must exceed acidity at all times.

The following outfalls discharge to unnamed tributaries to/and Elk Lick Creek and unnamed tributaries to/and Casselman River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
011 (SP14)	N
015 (SP16)	N
016 (SP17)	N
018 (SP19)	N
019 (SP20)	N
020 (SP21)	N
022 (SP23)	N
024 (SP24)	N
028 (SP25)	N
031 (SP28)	N
033 (SP30)	N

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
034 (SP31)	N
041 (SP36)	N
042 (SP37)	N

<i>During Dry Weather 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>Resulting from ≤10-yr/24-hr Precip. Event 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.

The following outfall discharges to unnamed tributary to Elk Lick Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
032 (SP29)	Y

<i>During Dry Weather Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	2.4	4.8	6.0
Manganese (mg/l)	1.7	3.4	4.2
Aluminum (mg/l)	1.2	2.4	3.0
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.

The following outfalls discharge to unnamed tributary to Elk Lick Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
029 (SP26)	N
030 (SP27)	N
035 (SP32)	N
038 (SP33)	N
039 (SP34)	N
040 (SP35)	N

<i>During Dry Weather Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	2.7	5.4	6.7
Manganese (mg/l)	1.8	3.6	4.5
Aluminum (mg/l)	1.3	2.6	3.2
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.

Noncoal NPDES Draft Permits

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

NPDES Permit No. PA0119253 on Surface Mining Permit No. 7474SM1. New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc., (3724 Crescent Court West, Suite 200, Whitehall, PA 18052), revision of an NPDES Permit for a limestone quarry operation in Upper and Lower Nazareth and Palmer Townships, **Northampton County**, affecting 140.4 acres. Receiving stream: unnamed tributary to Schoeneck Creek, classified for the following uses: warm water and migratory fishes. Application received: August 8, 2018.

The following outfall discharges to Schoeneck Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	MDT (Non-Process Groundwater/Pit Sump)

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

Parameter	Minimum	30-Day Average	Daily Maximum	Instantaneous Maximum
pH ¹ (S.U.)	6.0			9.0
Alkalinity > Acidity ¹				
Total Suspended Solids Discharge (MDG)		35.0 12.0 (increase from 2.0)	70.0 16.0	90.0

¹ The parameter is applicable at all times.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E5329-019: Eclipse Resources—PA, LP, 2121 Old Gatesburg Road, State College, PA 16803 Hector Township, **Potter County**, ACOE Baltimore District.

To construct, operate, and maintain a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting

2,995 square feet of an exceptional value palustrine emergent (PEM) wetland (Sabinsville, PA Quadrangle 41° 51' 15"N, 77° 36' 52"W).

The project will result in 2,995 square feet (0.07 acre) of temporary wetland impacts for the purpose of installing and maintaining a waterline and natural gas pipeline in Hector Township, Potter County.

E5929-084: Eclipse Resources—PA, LP, 2121 Old Gatesburg Road, State College, PA 16803 Clymer and Westfield Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary road crossing using timber mats and a 24 inch diameter natural gas pipeline impacting 277 square feet of a palustrine emergent (PEM) wetland, 399 square feet of a palustrine forested (PFO) wetland, and 61 linear feet of an unnamed tributary to Crance Brook (CWF) (Potter Brook, PA Quadrangle 41° 53' 16"N, 77° 33' 09"W);

2) a temporary road crossing using timber mats and a 24 inch diameter natural gas pipeline impacting 599 square feet of a palustrine emergent (PEM) wetland (Potter Brook, PA Quadrangle 41° 53' 16"N, 77° 33' 09"W);

3) a temporary road crossing using timber mats and a 24 inch diameter natural gas pipeline impacting 986 square feet of a palustrine emergent (PEM) wetland (Potter Brook, PA Quadrangle 41° 53' 13"N, 77° 33' 13"W);

4) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 401 square feet of a palustrine emergent (PEM) wetland (Potter Brook, PA Quadrangle 41° 53' 13"N, 77° 33' 38"W);

5) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 1,583 square feet of a palustrine emergent (PEM) wetland (Potter Brook, PA Quadrangle 41° 53' 13"N, 77° 33' 42"W);

6) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 63 linear feet of Crance Brook (CWF), 68 linear feet of an unnamed tributary to Crance Brook (CWF) and 22 linear feet of another unnamed tributary to Crance Brook (CWF) (Potter Brook, PA Quadrangle 41° 53' 13"N, 77° 33' 45"W);

7) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 1,099 square feet of a palustrine emergent (PEM) wetland (Potter Brook, PA Quadrangle 41° 53' 13"N, 77° 33' 48"W);

8) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 785 square feet of a palustrine emergent (PEM) wetland, 35 linear feet of an unnamed

tributary to Crance Brook (CWF) and 76 linear feet of another unnamed tributary to Crance Brook (CWF) (Potter Brook, PA Quadrangle 41° 53' 15"N, 77° 34' 09"W);

9) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 120 square feet of a palustrine emergent (PEM) wetland (Potter Brook, PA Quadrangle 41° 53' 12"N, 77° 34' 15"W);

10) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 446 square feet of a palustrine emergent (PEM) wetland and 68 linear feet of an unnamed tributary to Potter Brook (HQ-CWF) (Potter Brook, PA Quadrangle 41° 52' 59"N, 77° 34' 46"W);

11) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 589 square feet of a palustrine emergent (PEM) wetland (Potter Brook, PA Quadrangle 41° 52' 59"N, 77° 34' 48"W);

12) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 1,235 square feet of a palustrine emergent (PEM) wetland and 59 linear feet of an unnamed tributary to Potter Brook (HQ-CWF) and 56 linear feet of another unnamed tributary to Potter Brook (HQ-CWF) (Potter Brook, PA Quadrangle 41° 52' 56"N, 77° 34' 50"W);

13) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 977 square feet of a palustrine emergent (PEM) wetland (Potter Brook, PA Quadrangle 41° 52' 43"N, 77° 35' 06"W);

14) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 79 linear feet of an unnamed tributary to Potter Brook (HQ-CWF) (Sabinsville, PA Quadrangle 41° 52' 08"N, 77° 35' 46"W);

15) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 1,031 square feet of a palustrine emergent (PEM) wetland (Sabinsville, PA Quadrangle 41° 52' 02"N, 77° 35' 51"W);

16) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 964 square feet of a palustrine emergent (PEM) wetland (Sabinsville, PA Quadrangle 41° 51' 54"N, 77° 35' 57"W);

17) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 9,611 square feet of a palustrine emergent (PEM) wetland (Sabinsville, PA Quadrangle 41° 51' 49"N, 77° 35' 58"W);

18) a temporary road crossing using timber mats, a 24 inch diameter natural gas pipeline and a 24 inch diameter waterline impacting 76 linear feet of an unnamed tributary to Potter Brook (HQ-CWF) (Sabinsville, PA Quadrangle 41° 51' 22"N, 77° 36' 23"W).

The project will result in 480 linear feet of temporary stream impacts, 399 square feet (0.01 acre) of permanent wetland impacts, and 20,703 square feet (0.48 acre) of temporary wetland impacts, all for the purpose of installing and maintaining a waterline and natural gas pipeline in Clymer and Westfield Township, Tioga County.

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways, Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, P.O. Box 8460, Harrisburg, PA 17105-8460.

EA2214-001. Hawthorne SPE, LLC, 3605 Vartan Way, Suite 301, Harrisburg, PA 17110, Susquehanna Township, **Dauphin County**, USACOE Baltimore District.

Project proposes to remove approximately 16,000 cubic yards of legacy sediment from the floodplain along Black Run (WWF) and an unnamed tributary (UNT) to Black Run (WWF) for the purpose of restoring integrated aquatic ecosystems; to construct temporary roadways and other erosion controls during restoration activities, to rehabilitate approximately 1.5 acre of existing wetlands and restore approximately 2 acres of wetlands within the floodplain areas; to realign approximately 2,390 lineal feet of Black Run and approximately 270 lineal feet of the UNT for the purpose of restoring a total of approximately 6,100 lineal feet of anastomosing stream channel; to place log sills, root wads, large woody debris habitat structures and other wood grade control structures within the restored integrated aquatic ecosystem; to construct one roadway crossing the UNT, to construct a sewer line crossing Black Run; and to construct an outfall structure within the floodway of Black Run. The project is located upstream of North Progress Avenue (USGS Quadrangle: Harrisburg East, PA: Latitude: 40° 19' 35.526"; Longitude: -76° 51' 9.747").

EROSION AND SEDIMENT CONTROL PERMITS

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance activities associated with either road maintenance or timber harvesting operations.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

A person wishing to comment on a proposed permit are invited to submit a statement to the appropriate Department regional office listed before the application within 30 days of this public notice. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses 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 relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate Department regional office during the 30-day public comment period.

Following the 30-day comment period, the appropriate regional office water management program 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 (Board).

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the appropriate regional office.

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

Applications received under sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402).

Southwest Region: Oil and Gas Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222, Brian Bailey, P.E., 570.974.2604.

ESP070218-001, Merrion Oil and Gas Corporation, 610 Reilly Avenue, Farmington, NM 87401, ET Braddock Well Pad.

Proposed Earth Moving Activities related to Oil & Gas Exploration and Production in East Pittsburgh Borough,

North Braddock Borough, North Versailles Township
Allegheny County.

The project consists of construction of an unconventional gas well pad, two access roads, five freshwater storage tanks. Additionally, Merrion Oil and Gas Corporation intends to construct a 2,770 ft natural gas pipeline and a 2,990 ft freshwater pipeline. The proposed project area is located on property owned by US Steel at the Mon Valley Works Edgar Thompson Steel Plant. A portion of the site will discharge stormwater to the North Braddock Borough MS4 Storm Sewer System along Braddock Ave. Other portions of the site will discharge or have the potential to discharge stormwater to Turtle Creek and unnamed tributary (T64495) to Turtle Creek (WWF, Siltation-Impaired, TMDL-impaired (metals, pH)). Total Disturbed Area is 13.4 acres.

For more detailed information regarding permit applications related to this project, which are available in the DEP Regional Office, go to www.dep.pa.gov to request a file review.

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>
PA0057401 (Sewage)	PennBow LLC 6801 Easton Road Pipersville, PA 18947-9717	Bucks County Bedminster Township	Unnamed Tributary to Cabin Run 2-D	Y
PA0011681 (Industrial)	PECO Energy 300 Front Street West Conshohocken, PA 19428-2723	Montgomery County West Conshohocken Borough	Schuylkill River & Gulph Creek 3-F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0035611 (Sewage)	Safety Rest Area No. 56 Southbound Interstate 81 Lenox Township, PA	Susquehanna County Lenox Township	Unnamed Tributary to East Branch Tunkhannock Creek (4-F)	Yes
PA0061441 (Sewage)	Freeman's MHP Front of Park—White Building Monroe Township, PA 18612-8026	Wyoming County Monroe Township	Leonard Creek (4-G)	Yes
PA0063819 (Industrial)	Lafayette College Easton, PA 18042	Northampton County Easton City	Bushkill Creek (1-F)	Yes
PA0060917 (Sewage)	Country Crest MHP WWTP Route 29 Hunlock Creek, PA 18621	Luzerne County Lehman Township	Unnamed Tributary of Hunlock Creek (5-B)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0229253 (Sewage)	Karthaus Burnside WWTP P.O. Box 97 Karthaus, PA 16845-0097	Clearfield County Karthaus Township	West Branch Susquehanna River (8-D)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0264008 (Sewage)	Stateline Bar & Grill P.O. Box 127 Burghill, OH 44404-0127	Mercer County West Salem Township	Unnamed Tributary to Booth Run (20-A)	Yes
PA0222682 (Sewage)	Leasa A Maley SFTF 6118 Maley Drive Limestone, NY 14753-9730	McKean County Corydon Township	Willow Creek (16-B)	Yes
PA0033049 (Sewage)	PA DOT Rest Area 25 I-80 Eastbound Reynoldsville, PA 15851	Jefferson County Pine Creek Township	Unnamed Tributary to the Fivemile Run (17-C)	Yes

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

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

NPDES Permit No. PA0058041, Sewage, Renewal, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

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

NPDES Permit No. PA0050644, Industrial, Renewal, **Borough of East Greenville**, 206 Main Street, East Greenville, PA 18041-1405.

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

Description of Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Industrial wastewater.

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

PA0255513, Sewage, **Dell Cromie**, 437 Bear Creek Road, Sarver, PA 16055.

This proposed facility is located in Stonycreek Township, **Somerset 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. 0998403, Sewage, Transfer, **PennBow LLC**, 6801 Easton Road, Pipersville, PA 18947-9717.

This proposed facility is located in Bedminster Township, **Bucks County**.

Description of Action/Activity: Permit transfer from S & S Styles to PennBow LLC.

WQM Permit No. 0901401, Sewage, Renewal, **Buckingham Township**, P.O. Box 413, Buckingham, PA 18912-0413.

This proposed facility is located in Buckingham Township, **Bucks County**.

Description of Action/Activity: Permit renewal for continued operation of Stoneymead Wastewater Treatment Plant.

WQM Permit No. 0908201, Industrial Waste, **Bucks County Public Works Department**, 1265 Almshouse Road, Doylestown, PA 18901-2835.

This proposed facility is located in Nockamixon Township, **Bucks County**.

Description of Action/Activity: Permit Renewal for continued operation for land application of leachate to a drip irrigation field for Closed Hidden Valley Landfill.

WQM Permit No. 4688471, Sewage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

Description of Action/Activity: Permit Transfer from Limerick Township to Aqua WW Inc.

WQM Permit No. 4687462, Sewage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

Description of Action/Activity: Permit Transfer from Limerick Township to Aqua WW Inc.

WQM Permit No. 4697405, Sewage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

Description of Action/Activity: Permit Transfer from Limerick Township to Aqua WW Inc.

WQM Permit No. WQG02460514, Sewage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

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

Description of Action/Activity: Permit Transfer from Limerick Township to Aqua WW Inc.

WQM Permit No. 2318404, Sewage, **Knight's Bridge Corporation**, 112 Chesley Drive, Suite 200, Media, PA 19063-1762.

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

Description of Action/Activity: A new membrane bioreactor (MBR) wastewater treatment plant.

WQM Permit No. 4693430, Sewage, Amendment 3, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976-1209.

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

Description of Action/Activity: Rerate of plant's organic capacity from 2,600 lbs BOD₅/day to 2,910 lbs. BOD₅/day.

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

WQM Permit No. WQG02671803, Sewerage, **York Regent Acres LP**, 4775 N Sherman Street, Mt Wolf, PA 17347.

This proposed facility is located in Newberry Township, **York County**.

This General Permit approves the construction and operation of a new pumping station.

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

WQM Permit No. 02141802, Sewage, SIC Code 4952, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801-8401.

This proposed facility is located in Benner Township, **Centre County**.

Description of Proposed Action/Activity: Construction of a new pump station located in Fergusson Township.

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

WQM Permit No. 5618401, Sewage, **Dell Cromie**, 437 Bear Creek Road, Sarver, PA 16055.

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

Description of Proposed Action/Activity: Installation of a SFTF to replace a malfunctioning on-lot system.

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

WQM Permit No. WQG02101802, Sewage, SIC Code 4952, **Breakneck Creek Region Authority**, 1166 Mars Evans City Road, Mars, PA 16046-2216.

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

Description of Proposed Action/Activity: Sewer extension consisting of pressure sewers and grinder pumps for the Hickory Glen Development.

WQM Permit No. 0374402 A-1, Sewage, SIC Code 4952, **Ford City Borough Municipal Authority Armstrong County**, P.O. Box 66, Ford City, PA 16226-0066.

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

Description of Proposed Action/Activity: replacement of existing comminutor/bar screen with a new combination comminutor/fine screen with manual bar screen bypass.

IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Individual Permits Issued.

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

<i>NPDES Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI133519	East Earl Township Lancaster County 4610 Division Highway East Earl, PA 17519	East Earl Township, Lancaster	Shirks Run, Muddy Creek, Black Creek, Cedar Creek, and Mill Creek/ TSF, WWF, CWF, and MF	N	Y
PAI133522	Womelsdorf Borough Berks County 101 West High Street Womelsdorf, PA 19567	Womelsdorf Borough, Berks	Tulpehocken Creek and Unnamed Tributary of Tulpehocken Creek/ TSF and MF	N	Y

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

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

In compliance with the provisions of the Clean Water Act, 33 U.S.C.A. §§ 1251 et seq. ("the Act") and Pennsylvania's Clean Streams Law, as amended, 35 P.S. §§ 691.1 et seq., **HPT-PSC Properties Trust**, 24601 Center Ridge Road, West Lake, OH 44145 is authorized to discharge from a facility known as Petro Stopping Center Carlisle, located in Middlesex Township, **Cumberland County**, to Letort Spring Run in Watershed(s) 7-B in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts A, B and C hereof.

This permit shall become effective on March 1, 2019.

This permit shall expire at midnight on February 29, 2024.

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.

Lackawanna County Conservation District, 1038 Montdale Road, Scott Township, PA 18447.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC350058	Mericle 1200 East Lackawanna LLC 100 Baltimore Dr Wilkes-Barre, PA 18702	Lackawanna	Olyphant Boro	Sterry Creek (CWF, MF)
PAC350052	Woodbury Estates Inc 859 Enterprise St Dickson City, PA 18519	Lackawanna	Archbald Boro	Tinklepaugh Creek (CWF, MF)
PAC350054	Sterling Way Properties LLC 200 Abington Executive Park Clarks Summit, PA 18411	Lackawanna	S Abington Twp	UNT to Summit Lake Creek (TSF, MF)

Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC400113	Mericle 1058 Hanover LLC Robert Mericle 100 Baltimore Dr Wilkes-Barre, PA 18702	Luzerne	Hanover Twp	Warrior Creek (CWF, MF)
PAC400114	Eagle Rock Community Assoc Jim Sebia 1 Country Club Dr Hazle Twp, PA 18202	Luzerne	Hazle Twp	Black Creek (CWF, MF) Stony Creek (CWF, MF)
PAC400062	Commerce Rd Development LLC Michael Connolly 100 Thompson St Pittston, PA 18640	Luzerne	Pittston Twp	UNT to Collins Creek (CWF, MF)
PAC400104	Earth Conservancy Michael Dziak 101 S Main St Ashley, PA 18706	Luzerne	Hanover Twp	Espy Run (CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC450013	Mt Tom Rd Properties LLC 507 Seven Bridges Rd East Stroudsburg, PA 18301	Monroe	Smithfield Twp	UNT to Sambo Creek (CWF, MF)

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

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Reading Berks County Issued	PAC060171	City of Reading 815 Washington Street Reading, PA 19601	Schuylkill River (WWF, MF) Angelica Creek (CWF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Allegheny Township Blair County Issued	PAC070046	Bruce Thaler 116 Union Avenue Altoona, PA 16602	UNT Brush Run (WWF, MF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, ext. 5
Freedom Township Blair Township Blair County Issued	PAC070005	Legacy Land Development Group, Inc. 147 Mallard Lane Duncansville, PA 16635	Poplar Run (CWF, MF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, ext. 5
Hampden Township Cumberland County Issued	PAC210121	Berkley, LLC 1877 South Federal Highway Suite 304 Boca Raton, FL 33432-7411	Sears Run (WWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
Upper Allen Township Cumberland County Issued	PAC210112	Upper Allen Township 100 Gettysburg Pike Mechanicsburg, PA 17055	UNT Yellow Breeches Creek (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
East Hanover Township Dauphin County Issued	PAC220142	East Hanover Township Municipal Authority 8848 Jonestown Road Grantville, PA 17028	UNT Manada Creek (WWF, MF) UNT Bow Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Swatara Township Dauphin County Issued	PAC220153	Triple Crown Corporation 5351 Jaycee Avenue Harrisburg, PA 17112	Beaver Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100
Derry Township Dauphin County Issued	PAC220106	Milton Hershey School P.O. Box 830 Hershey, PA 17033	UNT Spring Creek (WWF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

*Facility Location:
Municipality &
County*

Middletown Borough
Royalton Borough
Londonderry
Township
Derry Township
East Hanover
Township
Dauphin County
Issued
South Londonderry
Township
North Londonderry
Township
Lancaster County
Issued

Permit No.

PAC220131

Applicant Name & Address

Mid-Atlantic Interstate
Transmission, LLC
2800 Pottsville Road
Reading, PA 19605

*Receiving
Water/Use*

Susquehanna River
(WWF)
Swatara Creek
(WWF)
UNT's Swatara
Creek
(WWF)
Iron Run
(WWF)
UNT Iron Run
(WWF)
Spring Creek East
(WWF)
UNT Spring Creek
East
(WWF)
Bow Creek
(WWF)
UNT's Bow Creek
(WWF)

*Contact Office &
Phone No.*

Dauphin County
Conservation District
1451 Peters
Mountain Road
Dauphin, PA 17018
717.921.8100

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

*Facility Location &
Municipality*

North Towanda Twp
Bradford Cnty

Permit No.

PAC080037

Applicant Name & Address

Kevin Melocheck Jr, PE
JLM Real Estate
Investments, LLC
P.O. Box 472
920 East Main Street
Schuylkill Haven, PA 17972

*Receiving
Water/Use*

Susquehanna River
WWF

*Contact Office &
Phone No.*

Bradford County
Conservation District
Stoll Natural
Resource Ctr
200 Lake Rd
Ste E
Towanda, PA 18848
(570) 265-5539, X 6

Wayne Twp
Clinton Cnty

PAC180008

Big Woods Land Company
P.O. Box 400
McElhattan, PA 17748

UNT West Branch
Susquehanna River
CWF

Clinton County
Conservation District
45 Cooperation Ln
Mill Hall, PA 17751
(570) 726-3798

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

*Facility Location:
Municipality &
County*

Pine Township
Mercer County

Permit No.

PAC430032

Applicant Name & Address

Grove City (58) DPP, LLC
9010 Overlook Boulevard
Brentwood, TN 37027

*Receiving
Water/Use*

Unnamed Tributary
to Swamp Run
CWF

*Contact Office &
Phone No.*

Mercer County
Conservation District
747 Greenville Road
Mercer, PA 16137
724-662-2242

Cranberry Township
Butler County

PAC100110

BRP3, LLC
234 Reichold Road
Wexford, PA 15090

Brush Creek
WWF

Butler County
Conservation District
122 McCune Drive
Butler, PA 16001
724-284-5270

Washington Township
Butler County

PAC100083

Seneca Landfill, Inc
Ed Vogel
121 Brickyard Road
Mars, PA 16046

UNT to Slippery
Rock Creek
CWF

Butler County
Conservation District
122 McCune Drive
Butler, PA 16001
724-284-5270

Harborcreek
Township
Erie County

PAC250061

Erie Water Works
240 West 12th Street
Erie, PA 16501

UNT Lake Erie,
Sixmile Creek &
Seven-Mile
CWF; MF

Erie County
Conservation District
1927 Wager Road
Erie, PA 16509
814-825-6403

*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>
Bell Township Jefferson County	PAC330012	Punxsutawney Airport Authority P.O. Box 365 Punxsutawney, PA 15767	UNT to Graffius Run CWF	Jefferson County Conservation District 1514 Route 28 Brookville, PA 15825 814-849-7463
Ernest Borough Indiana County	PAC320027	Ernest Borough 757 Main Street Ernest, PA 15739	McKee Run CWF	Indiana County Conservation District 350 North 4th Street Indiana, PA 15701 724-471-4751
East Wheatfield Township Indiana County	PAC320030	Armagh Meadows LP 3405 North 6th Street Suite 204 Harrisburg, PA 17110	Mardis Run CWF	Indiana County Conservation District 350 North 4th Street Indiana, PA 15701 724-471-4751

*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>
Henderson Township Jefferson County	PAG038339 A-1	David J Miller & Freeman Miller D/B/A D&F Logging 677 Starr Road Punxsutawney, PA 15767-4217	Unnamed Tributary to Stump Creek and Stump Creek—17-D	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-08**Facility Location
Municipality &
County*

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Center Township Indiana County	PAG086108	Central Indiana County Joint Sanitary Authority P.O. Box 7 Homer City, PA 15748	CICJSA STP, Center Township Indiana County	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-9 (SSN)**Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Russell Sherwood Farm 20 Mitchell Drive Lewistown, PA 17044 Derry Township/ Mifflin County	PAG093556	Sherwood Septic Pumping, LLC 20 Mitchell Drive Lewistown, PA 17044	Same as Facility	DEP—SCRO—Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-12**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 Nottingham Township Chester County	PAS803505	Masons Chrome View Ltd 86 Chrome Road Nottingham, PA 19362	Watershed(s) 7-K	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4800

*General Permit Type—PAG-13**Facility Location
Municipality &
County**Permit No.**Applicant Name & Address**Receiving Water/Use**Contact Office &
Phone No.*

Marcus Hook Borough Delaware County	PAG130071	Marcus Hook Borough 1015 Green Street Marcus Hook, PA 19061-4522	Marcus Hook Creek 3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Upper Frederick Township Montgomery County	PAG130129	Upper Frederick Township P.O. Box 597 Frederick, PA 19435-0597	Unnamed Tributary to Swamp Creek, Goshenhoppen Creek and Scioto Creek 3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Nottingham Township Washington County	PAG136405	Nottingham Township 909 Sugar Run Road Eighty Four, PA 15330-2447	Peters Creek—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

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

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

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

**NUTRIENT MANAGEMENT PLAN
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Landis Farms—Tim Landis 2607 Klingerstown Road Herndon, PA 17830	Northumberland	857.2	559.53	Swine/Beef	NA	Approved
Keith Musser 300 Evergreen Road New Bloomfield, PA 17068	Perry	0	409.97	Poultry-Turkey	NA	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

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

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

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

SAFE DRINKING WATER

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

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

Permit No. 2615513MA, Minor Amendment. Public Water Supply.

Applicant	National Pike Water Authority P.O. Box 10 Markleysburg, PA 15459
Borough or Township	Henry Clay Township
County	Fayette
Type of Facility	Braddock Road waterline
Consulting Engineer	National Pike Water Authority P.O. Box 10 Markleysburg, PA 15459
Permit to Operate Issued	February 15, 2019

Permit No. 6518513MA, Minor Amendment. Public Water Supply.

Applicant	Paul Miller, Owner Pine Garden Realty Associates, LP 11 Glenview Avenue Greensburg, PA 15601
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Borough or Township	Loyalhanna Township
County	Westmoreland
Type of Facility	Pine Garden Apartments
Consulting Engineer	Eberhardt Lloyd, LLC 1193 Clifton Road Bethel Park, PA 15102

Permit to Operate Issued	February 15, 2019
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Permit No. 6519501MA, 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	Filter No. 2 Sweeney WTP
Consulting Engineer	Municipal Authority of Westmoreland County 124 Park & Pool Road New Stanton, PA 15672

Permit to Operate Issued	February 15, 2019
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Permit No. 0218529MA, Minor Amendment. Public Water Supply.

Applicant	Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055
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Borough or Township	Union Township
County	Washington
Type of Facility	Aldrich Purification Unit # 8
Consulting Engineer	Pennsylvania American Water Company 852 Wesley Drive Mechanicsburg, PA 17055

Permit to Operate Issued	February 15, 2019
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Location: Indiana County Municipal Services Authority

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Indiana County Municipal Services Authority proposes to construct a new water treatment plant that will serve Plumville Borough, install new waterlines to interconnect the Plumville System to the Crooked Creek water system, install new waterlines to service areas from Grove Chapel, the Village of Home to the Borough of Marion Center, install a water storage tank near Marion Center, install a waterline extension to service Spirit Life drug addiction treatment center, and install a new PRV. In total, approximately 110,050 feet of new waterline will be installed.

The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

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

Operations Permit No. 4616524 issued to: **Horsham Water & Sewer Authority**, 617 Horsham Road, Horsham, PA 19044, **PWS ID # 1460033**, Horsham Township, **Montgomery County** on February 13, 2019 for the operation of granular activated carbon filtration at Well No. 22 approved under construction permit # 4616254.

Operations Permit # 0917506 issued to: **Upper Bucks County Technical School**, 3115 Ridge Road Perkasio, PA 18944, **PWS ID # 1091162**, Borough of Perkasio, **Bucks County** on February 11, 2019, for the operation of arsenic treatment and the existing public water supply approved under construction permit # 0917506.

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit No. 2580023, Operations Permit, Public Water Supply.

Applicant	Pennsylvania American Water Company 800 West Hershey Park Dr. Hershey, PA 17033
Borough or Township	Bridgewater Township
County	Susquehanna
Type of Facility	PWS
Consulting Engineer	Ms. Maureen Bower, PE Engineering Project Manager PAWC 2699 Stafford Ave Scranton, PA 18505
Permit too Operate Issued	February 5, 2019

Permit No. 2406615, Public Water Supply.

Applicant	Hazle Water Depot, LLC 3 N Cedar Street Hazelton, PA 18201
Township or Borough	City of Hazleton, Luzerne County
Responsible Official	Robert Silfa, Owner Hazle Water Depot, LLC 3 N Cedar Street Hazelton, PA 18201
Type of Facility	PWS
Consulting Engineer	David L. Horst, P.E., Alfred Benesch & Co. One South Church St. Suite 300 Hazelton, PA 18201
Permit Issued Date	01/11/2019

Permit No. 2409011, Public Water Supply.

Applicant	PA American Water (Suscon Road Pump Station) 800 W. Hershey Park Drive Hershey, PA 17033
Township or Borough	Pittston Township Luzerne County

Responsible Official	Mr. David Kaufman Vice President-Engineering
Type of Facility	Public Water Supply
Consulting Engineer	Mr. Richard C. Dudek, PE PA American Water Company 2699 Stafford Avenue Scranton, PA 18505
Permit Issued	01/11/2019

Permit No. 4818512MA, Public Water Supply.

Applicant	Deer Run Mobile Home Community, LLC 1 Sycamore Drive Bath, PA 18014
Township or Borough	Hamilton Township Monroe County
Responsible Official	Mr. Paul Cmil Deer Run Mobile Home Community, LLC 1 Sycamore Drive Bath, PA 18014
Type of Facility	PWS
Consulting Engineer	John R. Segursky, P.E. Uni-Tec Consulting Engineers, Inc.
Permit Issued Date	01/08/2019

Permit No. 2409011, Public Water Supply.

Applicant	PA American Water 800 W. Hershey Park Drive Hershey, PA 17033
Township or Borough	Plains Township Luzerne County
Responsible Official	Mr. David Kaufman Vice President-Engineering
Type of Facility	Public Water Supply
Consulting Engineer	Mr. Ralph R. Wawrzyniakowski, PE PA American Water Company 2699 Stafford Avenue Scranton, PA 18505
Permit Issued	01/08/2019

Permit No. 2400145, Operation Permit, Public Water Supply.

Applicant	Mercy Center Nursing Unit, Inc. 301 Lake Street P.O. Box 370 Dallas, PA 18612
Municipality	Dallas Township
County	Luzerne
Type of Facility	Public Water Supply
Consulting Engineer	Martin J. Gilligan, P.E. 52 Westminster Drive Dallas, PA 18612
Permit to Operate Issued	February 15, 2019

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

Permit No. 3618517, Public Water Supply.

Applicant **VNF, LLC**
 Municipality Ephrata Township
 County **Lancaster**
 Responsible Official Vincenzo DiMaria, Owner
 1278 Division Highway
 Ephrata, PA 17522
 Type of Facility Installation of 30-micron
 cartridge filtration and nitrate
 removal system.
 Consulting Engineer Charles A. Kehew II, P.E.
 James R. Holley & Associates,
 Inc.
 18 South George Street
 York, PA 17401
 Permit to Construct 2/4/2019
 Issued

Operation Permit No. 0617516 issued to: **The Caernarvon Township Authority (PWS ID No. 3060052)**, Caernarvon Township, **Berks County** on 2/13/2019 for facilities approved under Construction Permit No. 0617516.

Operation Permit No. 2818504 issued to: **Montgomery Township Supervisors (PWS ID No. 7280943)**, Montgomery Township, **Franklin County** on 2/4/2019 for facilities at Tuscarora Senior Activity approved under Construction Permit No. 2818504.

Operation Permit No. 2818506 issued to: **Bear Valley Joint Authority (PWS ID No. 7280043)**, Peters Township, **Franklin County** on 2/4/2019 for facilities approved under Construction Permit No. 2818506.

Source Water Protection Program Approval issued to **Caernarvon Township Authority**, 601 Hemlock Road, Morgantown, PA 19543, **PWSID 3060052**, Caernarvon Township, **Berks County** on February 19, 2019.

Source Water Protection Program Approval issued to **Elizabethtown Area Water Authority**, West Hummelstown Street, Elizabethtown, PA 17022, **PWSID 7360124**, Elizabethtown Borough, **Lancaster County** on February 19, 2019.

Source Water Protection Program Approval issued to **Mount Joy Borough Authority**, 21 East Main Street, P.O. Box 25, Mount Joy, PA 19552, **PWSID 7360091**, Mount Joy Borough, **Lancaster County** on February 19, 2019.

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

Permit No. 1918501—Operation—Public Water Supply.

Applicant **Benton (SR 118) DG, LLC**
 Township/Borough Sugarloaf Township
 County **Columbia County**
 Responsible Official Mr. Steven E. Camp
 Benton (SR 118) DG, LLC
 361 Summit Boulevard
 Suite 110
 Birmingham, AL 35243

Type of Facility Public Water Supply—Operation
 Consulting Engineer N/A
 Permit Issued February 15, 2019
 Description of Action Authorizes operation of the new
 transient noncommunity
 public-water system for the
 Benton Dollar General Store.
 This approval includes Well No.
 1 as a source of supply, the
 transmission line, a
 hydropneumatics tank, a
 prefilter, an arsenic-removal
 system, an ultraviolet
 disinfection system, and the
 distribution system.

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

Operation Permit issued to **Lakelands Restaurant, PWSID No. 956261**, Girard Township, **Erie County**. Permit Number 2517508 issued February 12, 2019 for the operation of the nitrate removal system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on February 6, 2019.

Permit No., 3309502-MA1, Public Water Supply.

Applicant **Brockway Borough
 Municipal Authority**
 Township or Borough Brockway Borough
 County **Jefferson**
 Type of Facility Public Water Supply
 Consulting Engineer Peter Fleszar
 Glace Associates, Inc.
 3705 Trindle Road
 Camp Hill, PA 17011
 Permit to Construct February 12, 2019
 Issued

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.

Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

WA 12-373C (Amended), Water Allocations. **Emporium Water Company**, 174 Nickler Road, Emporium, PA 15834, Emporium Borough, **Cameron County**. This permit grants Emporium Water Company the right to withdraw a maximum of 360,000 gallons per day from Salt Run Reservoir, located in Portage Township, Cameron County, when available, and the right to withdraw a maximum of 425,000 gallons per day from the Driftwood Branch Sinnemahoning Creek, located in Emporium Borough, Cameron County, when available, but not more than a maximum of 425,000 gallons per day from both sources combined.

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:

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

Kelly Residence, 53 South 4th Street, Lewisburg Borough, **Union County**. Molesevich Environmental, LLC, P.O. Box 654, Lewisburg, PA 17837, on behalf of William J. and Jacqueline L. Kelly, 53 South 4th Street, Lewisburg, PA 17837, has submitted a Remedial Investigation and Final Report and Cleanup Plan concerning site soil contaminated with # 2 heating oil and 1,2,4-Trimethylbenzene. The reports and plan are intended to document remediation of the site to meet the Site-Specific and Statewide Health Standards.

Lakeside Transportation Diesel Fuel Spill Cleanup, Interstate 80 at MM 190.6E, Loganton, Greene Township, **Clinton County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17754, on behalf of Lakeside Transportation Co., Inc., 6300 Sims Drive, Sterling Heights, MI 48313, has submitted a Final Report

concerning site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Osborn & Sons Trucking, Inc. Diesel Spill Cleanup, Interstate 80 Eastbound at MM 227.5, West Hemlock Township, **Montour County**. Environmental Products & Services of Vermont, Inc., 2902 Reach Road, Williamsport, PA 17701, on behalf of Osborn & Sons Trucking, Inc., 8903 N7440 Osborn Way, Fond Du Lac, WI 54937, has submitted a Final Report concerning site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995
PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the

appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Former Blue Ridge Country Club, 3940 Linglestown Road, Harrisburg, PA 17112, Lower Paxton Township, **Dauphin County**. Geo-Technology Associates, Inc., 3445A Box Hill Corporate Center Drive, Abingdon, MD 21009, on behalf of BRCC LP, 5351 Jaycee Avenue, Harrisburg, PA 17112, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil contaminated with inorganics. The Report and Plan were disapproved by the Department on February 13, 2019.

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

R. Myers Pad 1, 15049 Dimock to Nicholson Road, Lathrop Township, **Susquehanna County**. Woodward & Curran, 12 Frear Hill Road, Tunkhannock, PA 18657, 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 synthetic oil-based drilling mud to soil and groundwater. The report documented remediation of the site to meet a combination of Background and Statewide Health Standards and was approved by the Department on February 15, 2019.

Chrins Cleaners, 3738 Easton Nazareth Highway, City of Easton, **Northampton County**. Woodard & Curran, 50 Millstone Road, East Windsor, NJ 08520, on behalf of Gemstone Resources L.P., 3 Manhattanville Road, Purchase, NY 10577, submitted a final report addendum concerning remediation of site soil contaminated with tetrachloroethylene (PCE) from dry cleaning solvent. The report documented remediation of the site to meet Statewide Health Standards and was approved by the Department on February 15, 2019.

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

Sivers BRA Pad, Stevensville Mountain Road, Laceyville, Tuscarora Township, **Bradford County**. Leidos, Inc., 6310 Allentown Boulevard, Suite 110, Harrisburg, PA 17112, on behalf of Chesapeake Appalachia, LLC, 300 North 2nd Street, 5th FL, Harrisburg, PA 17101, has submitted a Final Report concerning remediation of site soil contaminated with produced water. The report demonstrated attainment of the Background and Statewide Health Standards and was approved by the Department on February 8, 2019.

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

MDS Trucking LLC Diesel Fuel Release Site, 951, 953, 955, 957, 959, 961, 963 New Castle Road (SR 108) & Parcel ID 330-4F86-7AA1 (no address) adjacent to New Castle Road, Worth Township, **Butler County**. Insite Group, Inc., 611 S. Irvin Avenue, Sharon, PA 16146, on behalf of MDS Trucking, LLC, 1570 Springfield Road, Penn Run, PA 15765, submitted a Final Report concerning the remediation of site soil contaminated with benzene, ethylbenzene, cumene, toluene, methyl tert butyl ether, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene,

and naphthalene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 6, 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

Abington Reldan Metals, LLC, 550 Old Bordentown Road, Fairless Hills, PA 19030. License No. PA-AH 0824. Effective Feb 14, 2019.

Hazardous Waste Transporter License Voluntarily Terminated

Med-Flex, Inc., P.O. Box 365, Hainesport, NJ 08036. License No. PA-AH 0847. Effective Sep 30, 2019.

Hazardous Waste Transporter License Issued

World Resource Company, 170 Walnut Lane, Pottsville, PA 17901. License No. PA-AH 0883. Effective Feb 11, 2019.

Hazardous Waste Transporter License Reissued

Abington Reldan Metals, LLC, 550 Old Bordentown Road, Fairless Hills, PA 19030. License No. PA-AH 0824. Effective Feb 14, 2019.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); 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 Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

General Permit No. WMGR017SC002A. Agri-Applicators, Inc., 33-Acre Farm, South Side Schaeffer Road, Lebanon, PA 17042 in Heidelberg Township, **Lebanon County**. The Department of Environmental Protection has issued a Determination of Applicability under General Permit WMGR017 to Agri-Applicators, Inc. for the beneficial use of water supply treatment plant sludge as a soil additive on agricultural lands. This Determination of Applicability was issued on February 14, 2019.

General Permit No. WMGR017SC002B. Agri-Applicators, Inc., Home Farm, 918 Schaeffer Road, Lebanon, PA 17042 in Heidelberg Township, **Lebanon County**. The Department of Environmental Protection has issued a Determination of Applicability under General Permit WMGR017 to Agri-Applicators, Inc. for the beneficial use of water supply treatment plant sludge as a soil additive on agricultural lands. This Determination of Applicability was issued on February 14, 2019.

General Permit No. WMGR017SC002C. Agri-Applicators, Inc., Smith Farm, 500 Schaeffer Road, Lebanon, PA 17042 in South Lebanon Township, **Lebanon County**. The Department of Environmental Protec-

tion has issued a Determination of Applicability under General Permit WMGR017 to Agri-Applicators, Inc. for the beneficial use of water supply treatment plant sludge as a soil additive on agricultural lands. This Determination of Applicability was issued on February 14, 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.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 101603. Warren County Transfer Station, P.O. Box O, RD 2 Route 219, Brockway, PA 15824. On January 15, 2018, the Department renewed a municipal waste transfer station permit to Advanced Disposal Services Western PA, Inc. The renewal allows the transfer station in Pittsfield Township, **Warren County** to operate for another ten years. The new expiration date on the permit is now February 15, 2029. No changes to the facilities operation were requested but minor administrative and operating changes to the permit were made to eliminate requirements or conditions that were no longer applicable. The renewal application was received October 9, 2018.

Persons interested in commenting on the permit may contact Christina S. Wilhelm, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6848. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

Permit Application No. 101603. Warren County Transfer Station, P.O. Box O, RD 2 Route 219, Brockway, PA 15824. On January 14, 2018 the Department issued major permit modification to Advanced Disposal Services Western PA, Inc. for their municipal waste transfer station in Pittsfield Township, **Warren County**. This modification to the transfer station permit increases the maximum daily volume of waste at the site to 500 tons per day. The modification application was received by the Department on September 28, 2018.

Persons interested in commenting on the permit may contact Christina S. Wilhelm, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6848. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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

Permit ID No. 301267: Allegheny Energy Supply Company, LLC, 800 Cabin Hill Drive, Greensburg, PA 15601. A major modification approving revisions to the Closure/Post-Closure Plan for the Armstrong Power Station's Coal Combustion By-products Landfill, located at S.R. 4006, Kittanning, PA 16201, in Washington Town-

ship, **Armstrong County**. The permit was issued in the Southwest Regional Office on February 8, 2019.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

AG5-58-00007A: Bluestone Pipeline Company of PA LLC (1429 Oliver Road, New Milford, PA 18834) on January 25, 2019 for the renewal of their existing permit at the Comfort Lake Compressor Station site located in Thompson Twp., **Susquehanna 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-63-01017/AG5A-63-00007A: HG Energy II Appalachia, LLC (5260 Dupont Road, Parkersburg, WV 26101) on February 19, 2019, for authorization under GP-5A to construct and/or operate an unconventional natural gas well site consisting of eleven (11) natural gas wells at its NV 34 Well Pad facility located in Morris Township, **Washington County**.

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

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

GP3-10-418A: Glenn O. Hawbaker Parker Facility (711 E College Ave., Bellefonte, PA 16823) on February 12, 2019, for the authority to install a 250 tph capacity McClosky model R155 vibratory screen (BAQ-GPS/GP3) located at their facility in Parker Township, **Butler County**.

GP11-10-418A: Glenn O. Hawbaker Parker Facility (711 E College Ave., Bellefonte, PA 16823) on February 12, 2019, for the authority to install a 130 bhp Caterpillar model 3054C Generator engine (BAQ-GPS/GP11) located at their facility in Parker Township, **Butler County**.

GP5-24-180D: NFG Midstream Clermont LLC, Clermont West Compressor Station (6363 Main St., Williamsville, NY 14221) on February 12, 2019, for the authority to construct a 1,900 bhp natural gas-fired compressor engine (BAQ-GPS/GP5) located at their facility in Jones Township, **Elk County**.

GP3-37-372A: Hanson Aggregates PA LLC, Midland Mine (2200 Springfield Pike, Connellsville, PA 15425) on February 13, 2019, for the authority to construct a new portable nonmetallic mineral processing plant (BAQ-GPS/GP3) located at their facility in North Beaver Township, **Lawrence County**.

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

Contact: Roger Fey, Chief—Telephone: 215-823-7584.

OP18-000042: The Pennovation Works (3401 Grays Ferry Avenue, Philadelphia, PA 19146) for the operation of an educational facility in the City of Philadelphia,

Philadelphia County. The facility's air emission sources include two (2) condensing boilers, six (6) forced air heaters, four (4) gas fired boilers, and one (1) hot water boiler all below 1.06 MMBtu/hr and firing natural gas. The facility includes one (1) 179 kilowatt fire pump and one (1) 1,115 kilowatt emergency generator, both firing diesel fuel.

OP18-000033: Catalent Pharma Solutions (10381 Decatur Road, Philadelphia, PA 19154) for the operation of a clinical supply services facility in the City of Philadelphia, **Philadelphia County.** The facility's air emission sources include three (3) 300 kW, 500 kW, and 900 kW diesel emergency generators, as well as eight (8) natural gas-fired warm air furnaces rated from 0.3 to 0.35 MMBtu/hr.

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.

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

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

09-0230A: Veterinary Crematory Services (387 Nina Way, Warminster, PA 18974) On February 11, 2019 for replacement of an existing 200 pound per hour crematory unit with the installation of a new 250 pound per hour, natural gas-fired animal crematory located in Warminster Township, **Bucks County.**

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

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

35-00074A: Meadowbrook Energy LLC (1444 E Lackawanna Ave., Suite 203, Olyphant, PA 18447-2181) on February 13, 2019 for the operation of a Renewable Natural Gas facility at the site to be located in Dunmore Borough, **Lackawanna County.**

48-00113A: Cantelmi Long Funeral Home (500 Linden Street, Bethlehem, PA 18018) issued on February 13, 2019 to install and operate a human remains cremation unit at the facility located in Bethlehem, **Northampton 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.

32-00428B: Creps United Publications, LLP (1163 Water Street, Indiana, PA 15701) on February 11, 2019, to allow the temporary operation of a new commercial printing facility including four heatset web offset lithographic printing presses controlled by two regenerative thermal oxidizers and located at the Windy Ridge Industrial Park in White Township, **Indiana County.**

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

15-0013C: Infiana USA Inc. (2400 Continental Blvd., Malvern, PA 19355-2326) On February 14, 2019 for the installation of a heat set flexographic printing press, associated dryers, and a regenerative thermal oxidizer located in Tredyffrin Township, **Chester County.**

46-0026I: Global Packaging Inc (209 Brower Ave., Oaks, PA 19456) On February 14, 2019 for the installation of a regenerative thermal oxidizer manufactured by TANN Corporation located in Upper Providence Township, **Montgomery County.**

09-0236: Covanta Metals Management LLC (445 South St., Morristown, NJ 07960-6475) On February 14, 2019 for the installation and operation of a non-ferrous metals processing facility located in Falls Township, **Bucks County.**

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

67-05005J: Brunner Island, LLC (P.O. Box 221, York Haven, PA 17370-0221) on February 8, 2019, for the addition of contingent annual NO_x emission limits (TPY = tons during any consecutive 12-month period) at the Brunner Island Steam Electric Station located in East Manchester Township, **York County.** The plan approval was extended.

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

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

32-00055H: Homer City Generation, LP (1750 Power Plant Rd., Homer City, PA 15748) Extension effective February 28, 2019, to allow continued temporary operation of the boiler Unit 1 & 2 Novel Integrated Desulfurization ("NID") systems to control SO₂ emissions at Homer City Generating Station located in Black Lick and Center Townships, **Indiana County.**

32-00055I: Homer City Generation, LP (1750 Power Plant Rd., Homer City, PA 15748) Extension effective February 28, 2019, to allow continued temporary operation of the boiler Unit 1 & 2 Novel Integrated Desulfurization ("NID") systems to control SO₂ emissions at the Homer City Generating Station located in Black Lick and Center Townships, **Indiana County.**

PA-11-00533B: Starprint Publication, Inc. (722 Dulancey Drive, Portage, PA 15946-6902) Plan Approval extension is issued for 180 days on February 13, 2019, to prepare and submit SOOP application to the Department for their Starprint Publication facility located in Portage Township, **Cambria County.**

PA-04-00699H: National Gypsum Company, Inc. (168 Shippingport Hill Road, P.O. Box 346, Shippingport, PA 15077-1000) Plan Approval Extension issuance date February 13, 2019, for 180 days to obtain a State Only Operating Permit (SOOP) application for their NGC facility located in Shippingport Borough, **Beaver County.**

04-00741A: ETC Northeast Field Services, LLC (6051 Wallace Road Ext, Suite 300, Wexford, PA 15090) On February 14, 2019, to allow continued temporary of the sources authorized at the Pike Compressor Station located in New Sewickley Township, **Beaver County**.

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

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

16-132K: Clarion Boards, Inc. (143 Fiberboard Road, Shippenville, PA 16254) on December 31, 2018, has issued a plan approval extension for exhausting the 2nd and 3rd stage dryers to atmosphere through baghouses, for removal of the press enclosure, and for inclusion of existing sources not included in the facility operating permit in Paint Township, **Clarion County**. This will expire on April 30, 2019. This is a Title V facility.

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

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

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

62-00017: United Refining Company (15 Bradley Street, Box 780, Warren, PA 16365-0780). The Department on February 13, 2019 issued a Title V Operating Permit (renewal) for the refinery located in Warren City, **Warren County**. The facility's major emission sources include five (5) natural gas/oil fired boilers, FCC heater, D.H.T heater # 1 and # 2, east and west reformer heaters, crude heaters (North & South), pretreater heater, saturated gas plant (debut) reboiler, vacuum process heater, prefractionator reboiler # 2, volcanic heater, miscellaneous tank heaters, isomerization unit, hydrogen plant, blow down system, Claus sulfur plant # 2, east and middle FCC KVG compressors, NSPS and State fugitive emissions, storage tanks, FCC unit, Sat Gas KVG compressor, Loading Rack Bottom Loading, waste water separators, Sulfur Plant Hot Oil Heater, emergency engines, and parts washers.

The refinery sources are subject to the New Source Performance Standards (NSPS) in 40 CFR 60, Subpart J and Ja, Subpart Kb, Subpart VV and VVa, Subpart GGG, and Subpart GGGa. The Benzene operations from the facility are subject to Part 61, Subpart FF. The facility is subject to the National Emission Standards for Hazardous Air Pollutant (NESHAP) in 40 CFR Part 63 Subpart ZZZZ (for Sources 113 and 114) for the Reciprocating Internal Combustion Engines. The FCC unit, reformers, and sulfur recovery are subject to Subpart UUU. Several of the refinery sources are subject to Subpart CC and the facility is subject to Subpart GGGGG (for Source 111) for the Remediation Material Management Units. The facility is subject to the new boiler NESHAP in 40 CFR 63 Subpart DDDDD.

The facility is major for Nitrogen Oxide (NO_x) and therefore subject to Reasonably Available Control Technology (RACT) requirements of 25 Pa. Code §§ 129.91—129.95. The permit also contains the presumptive RACT 2 requirements for NO_x and VOC from 25 Pa. Code § 129.97. The facility submitted a Case-By-Case RACT for select sources which will be reviewed as a separate authorization. The facility is also major for sulfur oxides (SO_x). The renewal permit contains the requirements of

the September 29, 2017 Consent Order and Agreement between the Department and United Refining Company which address the State Implementation Plan including SO₂ limits for all applicable sources and the methods of compliance with those limits. There are no sources in the facility that are subject to Compliance Assurance Monitoring (CAM) requirements in 40 CFR Part 64 because the sources are already subject to NESHAP requirements developed after November 15, 1990 (See 40 CFR Section 64.2(b)).

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.

09-00048: H & K Materials, Inc. (300 Skunk Hollow Road, Chalfont, PA 18914) On February 11, 2019 for renewal of a State Only, Synthetic Minor Operating Permit for their asphalt plant located in Hilltown Township, **Bucks County**. H & K Materials operates an Asphalt Plant at this site. Plan Approval 09-0048E has been incorporated into the permit.

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

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

40-00115: Shamokin Filler Co., Inc. (1550 Crestwood Drive, Mountaintop, PA 18707-2132) The Department issued on 2/15/19 a State-Only (Natural Minor) Operating Permit renewal for operation of a coal products manufacturing operation located in Wright Township, **Luzerne County**. The sources include a thermal coal dryer, screening and conveying equipment, and silos. Sources are controlled by baghouses and dust collectors. The permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

45-00011: Pleasant Valley School District (1671 Route 209, Broadheadsville, PA 18322) The Department issued on 2/15/19 a State-Only (Natural Minor) Operating Permit renewal for operation of sources at a school district located in Chestnuthill Township, **Monroe County**. The sources include two coal-fired boilers, four No. 2 oil-fired boilers, and a propane-fired boiler. Control devices include two cyclones. The permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

45-00027: Pleasant Valley School District (1671 Route 209, Broadheadsville, PA 18322) The Department issued on 2/15/19 a State-Only (Natural Minor) Operating Permit renewal for operation of sources at a school district located in Polk Township, **Monroe County**. The sources include a coal-fired boiler, a No. 2 oil-fired boiler. Control devices include a cyclone. The permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00110: Quality Collision, Inc. (365 Courtdale Ave., Courtdale, PA 18704). On February 15, 2019 the Department issued a renewal State-Only Natural Minor Permit for Quality Collision, Inc. located in Courtdale Borough, **Luzerne County**. The sources at this facility include two spray paint booths. The sources are considered minor emission sources of nitrogen oxide (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

34-05004: Jay Fulkroad & Sons, Inc. (2736 Free Spring Church Road, McAlisterville, PA 17049-8598) on February 6, 2019, for the batch asphalt and stone crushing operation at their facility located in Fayette Township, **Juniata County**. The State-only permit was renewed.

28-03041: Spectrum Industrial Coatings, Inc. (9226 Mountain Brook Road, Saint Thomas, PA 17252-9778) on February 6, 2019, for the surface coating facility located in Saint Thomas Township, **Franklin County**. The State-only permit was renewed.

28-03039: Warrior Roofing Manufacturing of PA LLC (3050 Warrior Road, Tuscaloosa, AL 35404-1205) on February 6, 2019, for the asphalt felt/granulated asphalt roll goods manufacturing facility located in Greene Township, **Franklin County**. The State-only permit was renewed.

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

Contact: Matt Williams, Facilities Permitting Chief at Telephone: 814-332-6940.

10-00359: MarkWest Liberty Bluestone—Sarsen Gas Plant (736 Prospect Rd, Evans City, PA 16033), on February 12, 2019, the Department issued the renewal of the State-Only Operating Permit of a natural gas gathering and processing facility located in Forward Township, **Butler County**. With a 40-mmscf/day capacity, the facility is equipped with inlet and residue compressors, a dehydration unit and reboiler, a cryogenic gas processing unit and a refrigeration system, condensate tanks, truck loading operation, and process heaters. With PTEs of 78 TPY CO, 38 TPY NO_x, 36 TPY VOC, 7 TPY HAPs, 4 TPY PM, 1.9 TPY single HAP (formaldehyde) and 0.3 TPY SO_x, the facility is Natural Minor. In this renewal, a refrigerant compressor initially authorized through GP-5 permit (GP5-10-359C) is added as a permitted source, permanently replacing a similar unit. The refrigerant compressor is subject to applicable GP-5 conditions, 40 CFR 60 Subpart JJJJ, and 25 Pa. Code §§ 123.13 and 123.21. No longer at the facility, a previously permitted emergency generator is removed from the renewal operating permit. Referenced in 40 CFR 60 Subpart KKK, 40 CFR 60 Subpart VV standards and provisions determined not applicable are removed from the operating permit.

33-00025: Punxsutawney Area Hospital (81 Hillcrest Drive, Punxsutawney, PA 15767). On February 12, 2019, the Department renewed a State Only Operating Permit

for the hospital located in Young Township, **Jefferson County**. The primary sources at the facility are a 285 kW oil-fired emergency generator, a parts washer, and 2 dual-fueled 10.5 million Btu/hr boilers using natural gas as primary fuel and capable of firing oil in the event of a natural gas curtailment. Potential Emissions for the site are as follows: 60.82 tpy NO_x; 18.66 tpy CO; 4.36 tpy TSP; 3.48 tpy SO_x; and 4.62 tpy VOC. The facility is a Natural Minor. The emergency generator is subject to 40 CFR Part 63 Subpart ZZZZ, the NESHAP for Stationary RICE. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

33-00174: Brownlee Lumber Company (2652 Hazen Richardsville Road, Brookville, PA 15825). On February 12, 2019, the Department renewed a State Only Operating Permit for the facility located in Warsaw Township, **Jefferson County**. The primary sources at the facility are a 125 hp wood boiler and saw mill operations. Emissions for the site are estimated to be 15.7 tpy CO; 5.7 tpy NO_x; 0.65 tpy SO_x; and 7.9 tpy TSP. The facility is a Natural Minor. The boiler is subject to 40 CFR Part 63 Subpart JJJJJ, the NESHAP for Area Source Boilers. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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.

23-00113: AT&T Communications of Pennsylvania, LLC (60 West Avenue, Wayne, PA 19087) On January 15, 2019 for an Administrative Amendment to State Only (Natural Minor) Operating Permit No. 23-00113 for its landline telecommunications facility located in Radnor Township, **Delaware County**. The Administrative Amendment incorporates the requirements of Plan Approvals No. 23-0113A and 23-0113B for the turbine and portable emergency generator sets at the facility, respectively, into the State Only Operating Permit (SOOP), including the following:

- An increase to the hourly and annual nitrogen oxides (NO_x) emission rate restrictions for each turbine of the turbine emergency generator sets to 29.76 lbs/hr and 7.44 tons/yr, respectively.
- An increase to the annual NO_x emission rate restriction for the facility to 24.78 tons/yr.

Based on operating hours restrictions being required for the turbines and IC engine of the emergency generator sets to ensure that the potential to emit NO_x from the facility does not exceed 25 tons/yr, the major facility threshold for the Philadelphia Consolidated Metropolitan Statistical Area, the facility status has been re-categorized as Synthetic Minor.

Lastly, DEP has removed the requirement to perform a stack test for the turbines of the turbine emergency generator sets from the SOOP.

The Administrative Amendment is issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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.

04-00490C: Dominion Energy Transmission, Inc. (5000 Dominion Boulevard 2NW, Glen Allen, VA 23060) on February 14, 2019, for de minimis emissions increase pursuant to 25 Pa. Code § 127.449 for up to 0.04 ton of VOC per year, resulting from the installation and operation of an additional gas measuring and regulating equipment at its Beaver Compressor Station located in North Sewickley Township, **Beaver County**. To date, no other de minimis emissions increases have occurred at the facility during the term of its current Title V Operating Permit (TV-04-00490).

TVOP-03-00180: Dominion Energy Transmission Inc. (5000 Dominion Blvd., Glen Allen, VA 23060-3308). Per 25 Pa. Code § 127.449(i), this Notice is for the following de minimis emission increase at the South Bend Compressor Station located in South Bend Township, **Armstrong County**:

Project to install new piping and connections to regulate pressure between existing DETI pipelines at the South Bend Compressor Station. This project is part of the proposed Sweden Valley project in which DETI is seeking authorization from Federal Energy Regulatory Commission.

Total emissions from this project will not exceed 0.004 tpy VOC.

The list of de minimis increases for this facility includes only this project.

TVOP-56-00167: (111 Hoganas Way, Hollsopple, PA 15935) on February 6, 2019, a de minimis emission increase per 25 Pa. Code § 127.449 for the installation and operation of dust collection ducts in the loading of raw material bins area at North American Hoganas (NAH) Inc./Stony Creek plant. The facility is located in Quemahoning Township, **Somerset County**.

A Dust Collection System (ductwork) will be added to the area which currently houses raw material loading bins at NAH. Dust collected from this area will be directed to the existing Wheelabrator Baghouse. The increase in air emissions resulting from this project will not exceed 0.11 ton per year of PM, PM₁₀, and PM_{2.5}. The following is a list of de minimis increases at this source as maintained by the Department and published in accordance with § 127.449(i):

- 0.11 ton per year of PM, PM₁₀, and PM_{2.5}

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

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

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

46-00160: 300 Brookside Commercial, L.P. (300 Brookside Avenue, Ambler, PA 19002), On February 15, 2019, located in Lower Gwynedd Township, **Montgomery County**, for revocation of State Only (Natural Minor)

Operating Permit No. 46-00160. The Cleaver-Brooks boiler, the only significant permitted source, was removed from the facility sometime in 2017.

Since 300 Brookside Commercial, L.P., did not submit a written notice to DEP within 1 year after the deactivation of the boiler to request preservation of its emissions in the Commonwealth's air contaminant emission inventory (AIMS), pursuant to 25 Pa. Code § 127.207(2)(i), 300 Brookside Commercial, L.P., is no longer eligible to apply for Emission Reduction Credits (ERCs) for the shutdown of the boiler. Accordingly, DEP has removed the facility's air contaminants from the inventory.

46-00271: Ratoskey & Trainor, Inc. (240 Flint Hill Road, King of Prussia, PA 19406), On February 15, 2019, located in Upper Merion Township, **Montgomery County**, for revocation of State Only (Natural Minor) Operating Permit No. 46-00271. Ratoskey & Trainor, Inc., moved out of the location on or before September 10, 2018, and now operates and maintains the portable nonmetallic mineral processing plant that was previously housed there at its Gill Quarries facility, which is located at 3201 Potshop Road, East Norriton, PA 19403. The Gill Quarries facility is permitted under Noncoal Surface Mining Permit No. 8073SM5A1C9, and the portable nonmetallic mineral processing plant and associated diesel-fuel fired engine are permitted under General Plan Approval and/or General Operating Permit Nos. GP3-46-0145 and GP9-46-0097, respectively.

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

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

Permit No. 56980103 and NPDES No. PA0234699. Wilson Creek Energy, LLC, permit renewal for reclamation only of a bituminous surface and auger mine in Jenner and Lincoln Townships, **Somerset County** affecting 138 acres. Receiving streams: unnamed tributaries to Quemahoning Creek classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received: July 30, 2018. Permit issued: February 14, 2019.

Permit No. 56130110 and NPDES No. PA0269263, Hoffman Mining Inc., c/o Berwind Corp., 509 15th Street, Windber, PA 15963, commencement, operation and

restoration of a bituminous surface & auger mine to change the land use from Woodland to Unmanaged Natural Habitat in Shade Township, **Somerset County**, affecting 683.6 acres. Receiving streams: Fallen Timber Run and unnamed tributaries to Stonycreek River, classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Hooversville Borough. Application received: November 9, 2018. Permit issued: February 15, 2019.

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

Permit No. PAM113009C. Reading Anthracite Company, (P.O. Box 1200, Pottsville, PA 17901), correction of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54793026 in Mahanoy Township and Shenandoah Borough, **Schuylkill County**, receiving stream: Mahanoy Creek. Application received: February 6, 2019. Correction issued: February 11, 2019.

Noncoal Permits Issued

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

PAM618069. Neiswonger Construction (17592 Route 322, Strattanville, PA 16258) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 16982801 in Clarion Township, **Clarion County**. Receiving streams: Unnamed tributary to Brush Run. Application received: October 10, 2018. Permit issued: February 11, 2019.

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

Permit No. PAM113011R. Robert R. Reddon, (927 Germantown Road, Susquehanna, PA 18847) renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58050851 in Jackson Township, **Susquehanna County**, receiving stream: no discharge to unnamed tributary to Ross Pond. Application received: October 29, 2018. Renewal issued: February 11, 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.

53194101. Valley Rock Solutions LLC, (P.O. Box 246, Macungie, PA 18062). Blasting for well pad located in Sweden Township, **Potter County** with an expiration date of February 12, 2020. Permit issued: February 13, 2019.

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

02194001. Senex Explosives, Inc., 710 Millers Run Road, Cuddy, PA 15031. Blasting activity permit for the construction/demolition of the ACAA World Trade Center Development Project, located in Findlay Township, **Alle-**

gheny County with an expiration date of February 1, 2020. Blasting permit issued: February 14, 2019.

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

Permit No. 36194103. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Moore Business Park in Manheim Township, **Lancaster County** with an expiration date of February 6, 2020. Permit issued: February 11, 2019.

Permit No. 36194104. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Bishop Woods in West Donegal Township, **Lancaster County** with an expiration date of February 6, 2020. Permit issued: February 11, 2019.

Permit No. 36194105. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Wetherbern West in Manheim Township, **Lancaster County** with an expiration date of February 6, 2020. Permit issued: February 14, 2019.

Permit No. 52194101. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for SR 2001 road safety project in Delaware and Lehman Townships, **Pike County** with an expiration date of February 11, 2021. Permit issued: February 14, 2019.

Permit No. 67194103. Maine Drilling & Blasting, Inc., (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Holden subdivision in Hallam Borough, **York County** with an expiration date of February 13, 2020. Permit issued: February 15, 2019.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northwest Region: District Oil and Gas Office, 230 Chestnut Street, Meadville, PA 16335, 814-332-6860.

E24-08-012, NFG Midstream Clermont, LLC, 1100 State Street, Erie, PA 16501. Keyhole F09-Q Extension, in Jones Township, **Elk County**, ACOE Pittsburgh District, Glen Hazel, PA Quadrangle N: 41°, 32', 58.10"; W: 78°, 33', 26.06".

The project consists of the installation of approximately 1.1 mile of two steel pipelines that will be used for transporting natural gas from Seneca Resources Company, LLC's F-09-Q well site to NFG Midstream Clermont, LLC's Keyhole Pipeline. The proposed project impacts in Elk County include a total of 6 linear feet of permanent and 6 linear feet of temporary impacts to a UNT to Maple Run (EV). The project also has 0.03 acre of temporary impact, and 0.04 acre of permanent impact to Palustrine Emergent (PEM) wetland(s). One floodway will be impacted having 0.23 acre of permanent impacts and 0.1 acre of temporary impacts.

**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.

Cardone Ind Plt 11 12, 51-30448, 5660 Rising Sun Ave, **City of Philadelphia**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Cardone Industries, Inc., 5660 Rising Sun Avenue, Philadelphia, PA 19120 submitted a Site Characterization Report 310(b) concerning remediation of soil contaminated with Stoddard solvent. The report is intended to document remediation of the site to meet the nonresidential Statewide health standard.

Frazer BP, 15-41202, 120 Lancaster Ave, East Whiteland Township, **Chester County**. Comstock Environmental Services LLC, P.O. Box 509, Lafayette Hill, PA 19444 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the nonresidential Statewide health standard.

Penske Truck Leasing, 51-37929, 2500 Wheatsheaf Ln, **City of Philadelphia**. Environmental Standards, 1140 Valley Forge Road, P.O. Box, 810, Valley Forge, PA 19842-0810 on behalf of Penske Truck Leasing Co. L.P., Rt. 10, Green Hills, P.O. Box 7635, Reading, PA 19603 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with diesel fuel. The report is intended to document remediation of the site to meet the nonresidential Statewide health standard.

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Hess Service Center, Storage Tank Primary Facility ID # 67-27128, 801 Route 15 North, Dillsburg, PA 17019, Carroll Township, **York County**. Geological Services, Inc., P.O. Box 578, Rock Hall, MD 21661, on behalf of Hess Service Center, 801 Route 15 North, Dillsburg, PA 17019, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Cowden's Family Market, Storage Tank Primary Facility ID # 41-70437, 3725 Lycoming Creek Road, Cogan Station, Lycoming Township, **Lycoming County**. BlackRock Environmental, LLC, P.O. Box 299, Nazareth, PA 18064, on behalf of Cowden's Family Market, 3725 Lycoming Creek Road, Cogan Station, PA 17728, has submitted a Remedial Action Completion Report concern-

ing remediation of groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard for groundwater.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

BFS Foods, Storage Tank Primary Facility ID # 30-23924, 1550 East High Street, Waynesburg, PA 15370, Waynesburg Borough, **Greene County**. Letterle & Associates, 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Bruceton Farms Service, Inc., 1768 Mileground Road, Morgantown, WV 26505-3753, submitted a Remedial Action Completion Report Addendum concerning remediation of groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Cumberland Gulf # 143649, Storage Tank Primary Facility ID # 02-09190, 4001 Butler Street, Pittsburgh, PA 15201, City of Pittsburgh, **Allegheny County**. Kleinfelder, 51 Dutilh Road, Suite 240, Cranberry Township, PA 16066, on behalf of Cumberland Farms, Inc., 100 Crossing Boulevard, Framingham, MA 01702-5401, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Honey Bear Mini Mart Graft Oil, Storage Tank Primary Facility ID # 03-07315, 200 North McKean Street, Kittanning, PA 16201-1344, Kittanning Borough, **Armstrong County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Graft Oil Company, P.O. Box 899, 2561 Memorial Boulevard, Connellsville, PA 15425-0899 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, MTBE, cumene, and naphthalene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

CORRECTIVE ACTION UNDER ACT 32, 1989

PREAMBLE 3

The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental 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 descrip-

tion 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.

Lehigh Gas Woodlyn, 23-06787, 1229 MacDade Blvd., Ridley Township **Delaware County**. Synergy Environmental Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, on behalf of Dunne Manning Inc., 645 Hamilton Ave, # 500, Allentown, PA 18101, submitted a Remedial Action Plan Addendum concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan was acceptable to meet the Statewide health standards and was approved by the DEP on February 14, 2019.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Penelec Richland OFC, Storage Tank Facility Primary ID # 11-21143, 311 Industrial Park Road, Johnstown, PA 15904-1941, Richland Township, **Cambria County**. Letterle & Associates, 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Pennsylvania Electric Company, P.O. Box 16001, Reading, PA 19612-6001, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan demonstrated attainment of the Statewide health standard for an aquifer with total dissolved solids greater than 2,500 milligrams per liter and was approved by the Department on February 6, 2019.

Lamagna Cheese Company, Inc., Storage Tank Facility Primary ID # 02-27697, 1 Lamagna Drive, Verona, PA 15147-1137, Verona Borough, **Allegheny County**. CORE Environmental Services Inc., 3690 William Flinn Highway, Suite 100, Allison Park, PA 15101-3603, on behalf of Lamagna Cheese Company, Inc., 1 Lamagna Drive, Verona, PA 15147-1137, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan demonstrated attainment of the Site-Specific Standard and was approved by the Department on February 6, 2019.

Graham Service, Storage Tank Facility Primary ID # 02-03925, 1620 McClure Street, Homestead, PA 15120, Homestead Borough, **Allegheny County**. Cribbs & Associates, Inc., P.O. Box 44, Delmont, PA 15626, on behalf of

Gary Graham, 131 East 17th Avenue, Homestead, PA 15120, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 8, 2019.

Sunoco Facility DUNS # 0363-1744, Storage Tank Facility Primary ID # 02-30663, 7403 Washington Avenue, Swissvale, PA 15218-2520, Swissvale Borough, **Allegheny County**. EnviroTrac Environmental Services, 176 Thorn Hill Rd., Warrendale, PA 15086, on behalf of Sunoco, Inc. (R&M), 2 Fifth Street, Herminie, PA 15637, submitted a Remedial Action Completion Report Addendum concerning the remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report Addendum demonstrated attainment of the Statewide Health Standard and Site-Specific Standards and was approved by the Department on January 28, 2019.

Getgo 3106, Storage Tank Facility Primary ID # 02-80090, 408 Penn Avenue, Wilkinsburg, PA 15221-2136, Wilkinsburg Borough, **Allegheny County**. Hull & Associates, Inc., 300 Merchant Lane, Suite 307, Pittsburgh, PA 15205, on behalf of Giant Eagle, Inc., 701 Alpha Drive, Pittsburgh, PA 15238, submitted a Revised Remedial Action Plan and Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The Revised Remedial Action Plan and Remedial Action Completion Report demonstrated attainment of the Site-Specific Standards and was approved by the Department on February 13, 2019.

FirstEnergy Mitchell Power Station, Storage Tank Facility Primary ID # 63-25460, 50 Electric Way, Courtney, PA 15029, Union Township, **Washington County**. SE Technologies, LLC, 98 Vanadium Road, Building D, 2nd Floor, Bridgeville, PA 15017, on behalf of FirstEnergy Corporation, 800 Cabin Hill Road, Greensburg, PA 15601-1650, submitted a Remedial Action Completion Report concerning the remediation of groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 12, 2019.

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

Camp Morasha, Storage Tank ID # 64-51709, State Route 247, Buckingham Township, **Wayne County**, Resource Environmental Management, 50 Maple Street, Montrose, PA 18801, submitted a Remedial Action Plan on behalf of Camp Morasha, Inc., 1118 Avenue J, Brooklyn, NY 11230-3606, concerning remediation of groundwater contaminated with gasoline. The Remedial Action Plan was acceptable to meet Statewide Health Standards for groundwater and was approved by DEP on February 11, 2019.

Mid Monroe Petro DBA A-Mart Exxon, Storage Tank ID # 45-06836, 831 Seven Bridges Road, Smithfield Township, **Monroe County**, Kleinfelder, 1745 Dorsey Road, Suite J, Hanover, MD 21076-18013, submitted a Remedial Action Completion Report on behalf of James D. Morrissey, Inc., 9119 Frankford Avenue, Philadelphia, PA 19114, concerning remediation of soils and groundwater contaminated with petroleum. The Remedial Action Completion Report demonstrated attainment of the Resi-

dential Statewide Health Standard for soils and groundwater and was approved by DEP on February 14, 2019.

Turkey Hill Minnit Market # 175, Storage Tank ID # 40-08918, 340 Wilkes-Barre Township Boulevard, Wilkes-Barre Township, **Luzerne County**, Reliance Environmental, 235 North Duke Street, Lancaster, PA 17602, submitted a Remedial Action Plan on behalf of Central Development Group LLC, 304 North Wilkes-Barre Township Boulevard, Wilkes-Barre, PA 18702, concerning remediation of soil contaminated with gasoline. The Remedial Action Plan was not acceptable to meet the Non-Residential Statewide Health Standards and was disapproved by DEP on February 15, 2019.

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

Shall's General Store, Storage Tank Primary Facility ID 53-70474, Main Street, Oswayo Borough, **Potter County**. Mobile Environmental Analytical, Inc., 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Ms. Gina Shall, 1016 Silver Lake Boulevard, Frankfort, KY 40601, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline and kerosene. The Remedial Action Completion Report failed to demonstrate attainment of the Statewide Health Standard and was disapproved by DEP on February 13, 2019.

[Pa.B. Doc. No. 19-297. Filed for public inspection March 1, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 10(6965)101.1, Abandoned Mine Reclamation Project, Kohlmeyer Corner West, Venango Township, Butler County. The principal items of work and approximate quantities include: subsurface drains with cleanouts, 750 linear feet; grading, 502,200 cubic yards; channel excavation, 80 cubic yards; rock lining, 50 square yards; and seeding, 57 acres.

This bid issues on March 8, 2019, and bids will be opened on April 4, 2019, at 2 p.m. Bid documents, including drawings in PDF format and AutoCad Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-298. Filed for public inspection March 1, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bid Opportunity

OSM 54(4660)105.1, Abandoned Mine Reclamation Project, 16th Street Subsidence, City of Pottsville, Schuylkill County. The principal items of work and approximate quantities include: drill boreholes (3), 57 linear feet; and fill material injection, 35 cubic yards.

This bid issues on March 8, 2019, and bids will be opened on April 4, 2019, at 2 p.m. Bid documents, including drawings in PDF format and AutoCad Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to www.BidExpress.com. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or RA-ConstructionContr@pa.gov for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-299. Filed for public inspection March 1, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bond Rate Guidelines for the Calculation of Land Reclamation Bonds on Coal Mining Operations

The Department of Environmental Protection (Department) announces the 2019 bond rate guidelines for anthracite and bituminous coal mining operations. These rates become effective April 1, 2019. The authority for bonding coal mining operations is found under The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19b), the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66) and 25 Pa. Code Chapter 86, Subchapter F (relating to bonding and insurance requirements). The unit costs listed in these guidelines will be used in calculating the land reclamation bonds for surface coal mining operations including surface mines, coal refuse reprocessing sites, coal processing facilities and the surface facilities of underground mining operations.

The procedures for calculating land reclamation bonds are described in Technical Guidance Document 563-2504-001, "Conventional Bonding for Land Reclamation—Coal," which is available on the Department's web site at <http://www.elibrary.dep.state.pa.us>. The Department calculated the rate of inflation and rate of return using 5-year averages. For the rate of inflation, the Consumer Price Index (Northeast Urban) from the United States Department of Labor, Bureau of Labor Statistics, was

averaged for the calendar years 2014—2018, resulting in a rate of 1.26%. This rate of inflation will be used in calculating bond amounts for permit renewal or permit midterm bond liability reviews on or after April 1, 2019.

The Department may review the adequacy of bonds on existing permits based on the bond rate guidelines at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the midterm of a permit and before approving a permit revision.

These bond rate guidelines do not apply to bonds ensuring replacement of water supplies under subsection 3.1(c) of the Surface Mining Conservation and Reclamation Act (52 P.S. § 1396.3a(c)) or to bonds ensuring compliance with the requirements of The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).

General Methodology

The Department developed the bond rate guidelines for 2019 from the unit costs for competitively bid contracts for mine reclamation. Contract bid data is available for various unit operations needed to complete reclamation of a mine site for the years 1998—2018. For most categories, a 3-year (2016—2018) average was used to calculate the guidelines. Some categories required another approach due to limited data. For example, there were no contracts in 2014—2018 that included selective grading. Therefore, a multiyear average of available data was used for the 2019 selective grading bond rate.

In general, the costs for a given unit operation for each year are determined using the weighted average of the three lowest total bids for each contract. However, grading costs were calculated using a frequency distribution in combination with the weighted averages.

In the event that a unit operation necessary to calculate a reclamation bond is not listed in Tables 1 or 2, then additional cost information available may be used. Unit costs may be adjusted using a standard reference like *Means Building Construction Cost Data* or *Walker's Building Estimator's Reference Book*. Specific unit costs may be adjusted using information provided by other stakeholders including the permittee provided the reclamation cost estimates include supporting calculations such as prevailing wage costs, installation costs, and the like.

The fees associated with the Land Maintenance Bond Program are presented in Table 3. There has been no change in these rates for 2019.

The bond rate guidelines are available electronically at <http://www.dep.pa.gov/Business/Land/Mining/BureauofMiningPrograms/Bonding/Pages/BondRates.aspx>. For background information and supporting documentation regarding bonding rate guidelines, contact the Bureau of Mining Programs, Division of Permitting and Compliance, P.O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

Mine Sealing Costs

The mine sealing bond rate guidelines are presented in Table 2. Mine sealing and borehole sealing bond rate guidelines remain the same for 2019.

Effective Date

The bond rate guidelines in this notice become effective April 1, 2019.

TABLE 1

Standard Bond Rate Guidelines for Year 2019

<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Mobilization/Demobilization	Job	4% of Direct Costs or \$40,000, Whichever is Less
Grading (< 500-foot push)	Cubic Yard	0.90
Grading (≥ 500-foot push/haul)	Cubic Yard	1.70
Selective Grading	Acre	1,700.00
Revegetation	Acre	2,000.00
Tree Planting	Tree	0.75
Ditch Excavation	Cubic Yard	6.70
Jute Matting	Square Yard	2.50
High Velocity Erosion Control	Square Yard	3.00
AASHTO No. 1	Ton	27.00
AASHTO No. 57	Ton	33.00
R3 Rock Lining	Square Yard	31.00
R4 Rock Lining	Square Yard	40.00
R5 Rock Lining	Square Yard	31.00
Geotextile/Filter Fabric	Square Yard	3.20
Subsurface Drain	Lineal Foot	25.00
Erosion and Sedimentation Control (Temporary Installation)	Job	Lump Sum (5% of Direct Costs for Site)
Pond Removal Active Phase ¹	Pond	3,800.00
Stage 3 Maintenance Bond Non-Cropland Areas (Land Uses Where Crop Yields are Not Required)	Acre	100.00
Stage 3 Maintenance Bond Cropland (Not Row Crops) Pastureland or Land Occasional Cut for Hay (Excludes Seed Cost)	Acre	550.00
Stage 3 Maintenance Bond Cropland Area—Row Crops (Includes Seed Cost)	Acre	840.00
Stage 3 Mobilization	Job	2,500.00
Pond Removal—Stage 3	Cubic Yards (Embankment Volume) Plus Top Soiling and Revegetation Cost	Use < 500 Grading for Pond Embankment Volume Plus Top Soiling and Revegetation Cost for the Area Disturbed
Ditch Removal—Stage 3	Lineal Foot	0.75
Equipment Tire Removal and Disposal	Tire	300.00
Structure Demolition	Costs will be Calculated Using Costs Listed in the Construction Industry's Latest Annual Cost Publications, such as <i>Means Building Construction Cost Data</i>	

TABLE 2
Mine Sealing Bond Rate Guidelines for Year 2019

<i>Sealing Bituminous Underground Mine Drift and Slope Openings</i>		
<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Concrete Work	Cubic Yard	128.00
Masonry Work	Square Foot	11.00
Fill Material and Earthwork ²	Cubic Yard	23.00
Security Fencing	Lineal Foot	29.00
Mobilization Cost	Job	5% of Total Amount

<i>Sealing Bituminous Underground Mine Shaft Openings</i>		
<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Concrete Material	Cubic Yard	96.00
Aggregate Material	Cubic Yard	27.00
Fill Material and Earthwork ²	Cubic Yard	4.00
Security Fencing	Lineal Foot	29.00
Mobilization Cost	Job	5% of Total Amount

<i>Sealing Boreholes at Bituminous Underground Mines</i>		
<i>Dimension</i>	<i>Minimum Cost Per Hole (\$)</i>	<i>Unit Cost (\$) Per Lineal Foot</i>
12-Inch or Less Diameter	1,500	5.50
Larger than 12-Inch Diameter	2,000	5.50

¹ Unit cost not from BAMR bids; includes dewatering, grading, topsoil placement and revegetation.

² Mine sealing costs are minimum costs. Additional costs per mine seal will be assessed based on specific design criteria, such as the thickness of the seal and the volume of backfill material required, using appropriate material, equipment, and labor costs from BAMR bid abstracts or from an industry-standard cost estimation publication, for example, *Means Estimating Handbook* or *Walker's Building Estimator's Reference Book*.

TABLE 3
Land Maintenance Financial Guarantee Fees for Year 2019

<i>Fee Category</i>	<i>Fee (\$)</i>
Publication	1,000
Administrative	300

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-300. Filed for public inspection March 1, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Environmental Justice Advisory Board Meeting Change

The Environmental Justice Advisory Board conference call scheduled for 1 p.m. on Tuesday, April 9, 2019, has been changed to an in-person meeting beginning at 8:30 a.m. The meeting will be held in the Delaware Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the meeting can be directed to Allison A. Acevedo at alacevedo@pa.gov or (484) 250-5818. The agenda and meeting materials will be available

through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Environmental Justice Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Allison A. Acevedo at (484) 250-5818 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-301. Filed for public inspection March 1, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mining and Reclamation Advisory Board Reclamation Committee Meeting

The Reclamation Committee of the Mining and Reclamation Advisory Board will meet on Thursday, March 28, 2019, at 10 a.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the meeting can be directed to Daniel E. Snowden at dsnowden@pa.gov or (717) 783-8846. The agenda and meeting materials will be available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Mining and Reclamation Advisory Board").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-302. Filed for public inspection March 1, 2019, 9:00 a.m.]

Supplies," which is available on the Department's eLibrary web site at www.elibrary.dep.state.pa.us.

The Department may review the adequacy of bonds on existing permits at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the midterm of a permit and before approving a permit revision.

Rates

The Department calculated the rate of inflation and rate of return using 5-year averages. For the rate of inflation, the Consumer Price Index (Northeast Urban) from the United States Department of Labor, Bureau of Labor Statistics, was averaged for the calendar years 2014—2018, resulting in a rate of 1.26%. For the rate of return, the interest rate for the 20-year Treasury bill as reported by the Federal Reserve was averaged for the calendar years 2014—2018 resulting in a rate of 2.7%.

For background information and supporting documentation regarding the rates, contact the Bureau of Mining Programs, Division of Permitting and Compliance, P.O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

Effective Date

The rates in this notice will become effective on April 1, 2019. They will remain in effect until new rates are published. It is anticipated that these new rates will be published in February 2020, to be effective April 1, 2020.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-303. Filed for public inspection March 1, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Rates to be Used for Calculating Long-Term Operation and Maintenance Cost Bonds for Water Supply Replacement Mining Operations

The Department of Environmental Protection (Department) announces the rates to be used to calculate bond amounts for water supply replacement operation and maintenance costs for anthracite and bituminous coal and industrial mineral mining operations. The authority for bonding mining operations is found under The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19b), the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66), The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21), the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326) and the regulations promulgated thereunder at 25 Pa. Code Chapters 77 and 86 (relating to noncoal mining; and surface and underground coal mining; general).

The rates are used in calculating the water supply operation and maintenance bond amounts for replacement water supplies affected by activities at mining operations including surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities, underground coal mining operations and industrial mineral surface mines. The procedures for calculating water supply operation and maintenance bonds are described in Technical Guidance 562-4000-102, "Increased Operation and Maintenance Costs of Replacement Water

DEPARTMENT OF REVENUE

Pennsylvania Double Shot Fast Play Game 5052

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Double Shot (hereinafter "Double Shot"). The game number is PA-5052.

2. Definitions:

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *DOUBLE SHOT BONUS:* The area on a ticket that contains either a "1X" (PRIZE) or a "2X" (DOUBLE) multiplier symbol that is applied to any winning combination.

(d) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(e) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the "YOUR NUMBERS" area, determine whether a player wins a prize.

(l) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

(m) *YOUR NUMBERS*: The numbers, letters, symbols or other characters found in the play area and generated via quick pick that, when matched against the "WINNING NUMBERS" area, determine whether a player wins a prize.

3. *Price*: The price of a Double Shot ticket is \$2.

4. *Description of the Double Shot lottery game*:

(a) The Double Shot lottery game is an instant win game printed from a Lottery Terminal. All prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Double Shot tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Double Shot is played by matching the play symbols in the "YOUR NUMBERS" area to the play symbols located in the "WINNING NUMBERS" area. If a "2X" (DOUBLE) symbol appears in the DOUBLE SHOT BONUS area, any prize won in the play area is doubled. A bet slip is not used to play this game.

(c) Double Shot tickets contain a "DOUBLE SHOT BONUS" area. If there is a 2X (DOUBLE) symbol in the "DOUBLE SHOT BONUS" area, a player doubles any prize won in the play area.

(d) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) A Double Shot game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Double Shot game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the

self-service terminal a dollar amount equal to the total purchase price of a Double Shot game ticket and selecting the Double Shot option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Double Shot ticket characteristics*:

(a) A Double Shot ticket shall contain a play area, the cost of the play, the date of sale, and a bar code.

(b) *Play Symbols*: Each Double Shot ticket play area will contain a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, and a "DOUBLE SHOT BONUS" area. The play symbols located in the "WINNING NUMBERS" and the "YOUR NUMBERS" areas are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVEN), 12 (TWELVE), 13 (THIRTEEN), 14 (FOURTEEN), 15 (FIFTEEN), 16 (SIXTEEN), 17 (SEVENTEEN), 18 (EIGHTEEN), 19 (NINETEEN) and 20 (TWENTY). The play symbols located in the "DOUBLE SHOT BONUS" area are: 1X (PRIZE) symbol and 2X (DOUBLE) symbol.

(c) *Prize Symbols*: The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN) and \$10,000 (TEN THO).

(d) *Prizes*: The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$200, \$500 and \$10,000. A player can win up to 10 times on a ticket.

(e) *Approximate Number of Tickets Available for the Game*: Approximately 4,800,000 tickets will be available for sale for the Double Shot lottery game.

6. *Prizes available to be won and determination of prize winners*:

(a) All Double Shot prize payments will be made as one-time, lump-sum cash payments.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, and a 2X (DOUBLE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$400.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$200.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, and a 2X (DOUBLE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, and a 2X (DOUBLE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$50.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, and a 2X (DOUBLE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$40.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15⁰⁰ (FIFTEEN) appears under the matching "YOUR NUMBERS" play symbol, and a 2X (DOUBLE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$30.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, and a 2X (DOUBLE) symbol

appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15⁰⁰ (FIFTEEN) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$15.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, and a 2X (DOUBLE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears under the matching "YOUR NUMBERS" play symbol, and a 2X (DOUBLE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$8.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$4.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, and a 2X (DOUBLE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$4.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, and a 1X (PRIZE) symbol appears in the "DOUBLE SHOT BONUS" area, on a single ticket, shall be entitled to a prize of \$2.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$2	\$2	8.33	576,000
\$2 × 2	\$4	100	48,000
\$2 w/ DOUBLE SHOT BONUS	\$4	18.18	264,600
\$4	\$4	111.11	43,200
\$5	\$5	38.31	125,280
\$5 × 2	\$10	3,333	1,440
(\$4 × 2) + \$2	\$10	250	19,200
\$5 w/ DOUBLE SHOT BONUS	\$10	100	48,000
\$10	\$10	500	9,600
\$5 × 3	\$15	1,667	2,880
\$15	\$15	2,000	2,400
\$5 × 4	\$20	1,000	4,800
(\$5 × 2) + (\$4 × 2) + \$2	\$20	2,000	2,400
(\$5 × 2) w/ DOUBLE SHOT BONUS	\$20	400	12,000
\$10 w/ DOUBLE SHOT BONUS	\$20	333.33	14,400
\$20	\$20	2,000	2,400
\$20 × 2	\$40	2,000	2,400
(\$10 × 2) + \$20	\$40	1,250	3,840
(((\$5 × 2) + (\$4 × 2) + \$2) w/ DOUBLE SHOT BONUS	\$40	1,250	3,840
(\$10 × 2) w/ DOUBLE SHOT BONUS	\$40	1,250	3,840
\$20 w/ DOUBLE SHOT BONUS	\$40	1,429	3,360
\$40	\$40	2,500	1,920
(\$15 × 2) + \$20	\$50	10,000	480
(\$10 × 3) + (\$5 × 2) + (\$4 × 2) + \$2	\$50	10,000	480
(((\$10 × 2) + \$5) w/ DOUBLE SHOT BONUS	\$50	10,000	480
(\$15 + \$10) w/ DOUBLE SHOT BONUS	\$50	10,000	480
(\$20 + \$5) w/ DOUBLE SHOT BONUS	\$50	2,500	1,920
\$50	\$50	5,000	960
\$50 × 2	\$100	6,000	800
(\$20 × 2) + (\$15 × 2) + (\$10 × 2) + (\$5 × 2)	\$100	12,000	400
(((\$10 × 3) + (\$5 × 2) + (\$4 × 2) + \$2) w/ DOUBLE SHOT BONUS	\$100	6,000	800
\$50 w/ DOUBLE SHOT BONUS	\$100	6,000	800
\$100	\$100	6,667	720
\$100 × 2	\$200	120,000	40
(\$20 × 2) + (\$10 × 4) + (\$5 × 4) w/ DOUBLE SHOT BONUS	\$200	60,000	80
(\$50 × 2) w/ DOUBLE SHOT BONUS	\$200	60,000	80
\$100 w/ DOUBLE SHOT BONUS	\$200	120,000	40
\$200	\$200	120,000	40
(\$200 × 2) + (\$50 × 2)	\$500	240,000	20
(((\$100 × 2) + \$50) w/ DOUBLE SHOT BONUS	\$500	240,000	20
(\$200 + \$50) w/ DOUBLE SHOT BONUS	\$500	240,000	20

<i>When Any Of Your Numbers Match Any Winning Number, Win Prize Shown Under The Matching Number: Win With:</i>	<i>Win:</i>	<i>Approximate Chances of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$500	\$500	240,000	20
\$10,000	\$10,000	480,000	10

DOUBLE SHOT BONUS: When a “2X” (DOUBLE) symbol appears in the “DOUBLE SHOT BONUS” area, double any prize won in the Play Area above.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Ticket Responsibility:*

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or a Fast Play ticket redeemed by a player in error.

9. *Ticket Validation and Requirements:*

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. *Procedures for claiming and payment of prizes:*

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) Pursuant to the preceding paragraphs, the retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Double Shot lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in inter-

pretation of this notice are final and binding on players and persons making a claim in respect thereof.

15. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

16. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Double Shot lottery game tickets.

17. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

18. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Double Shot or through normal communications methods.

19. *Applicability:* This notice applies only to the Double Shot lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-304. Filed for public inspection March 1, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Extreme Green Fast Play Game 5051

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Extreme Green (hereinafter "Extreme Green"). The game number is PA-5051.

2. *Definitions:*

(a) *Authorized Retailer or Retailer:* A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code:* The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *BONUS GAME:* The area at the bottom of an Extreme Green ticket containing seven play symbols that, when matched according to the instructions, determine whether the player wins a prize in the BONUS GAME. The BONUS GAME is played separately. The BONUS GAME does not award a Progressive Top Prize.

(d) *EXTREME NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against "YOUR NUMBERS," determine whether a player wins ten (10) times the prize shown under the matching number.

(e) *Game Ticket:* A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(f) *Lottery Central Computer System:* The computer gaming system on which all Fast Play plays are recorded.

(g) *Lottery Terminal:* A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(h) *Play:* A chance to participate in a particular Fast Play lottery game.

(i) *Play Area:* The area on a ticket which contains one or more play symbols.

(j) *Play Symbol:* A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(k) *Prize:* A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(l) *PRIZE LEGEND:* The area within the BONUS GAME at the bottom of an Extreme Green ticket that shows a player the corresponding prize that can be won by matching winning symbols in the BONUS GAME.

(m) *Progressive Top Prize:* The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize winning ticket is sold. A Progressive Top Prize cannot be won in the BONUS GAME.

(n) *WINNING NUMBERS:* The numbers, letters, symbols or other characters found in the play area that, when matched against "YOUR NUMBERS," determine whether a player wins a prize.

(o) *Winning Ticket:* A game ticket which has been validated and qualifies for a prize.

(p) *YOUR NUMBERS:* The numbers, letters, symbols or other characters found in the main Play Area that,

when matched against the “WINNING NUMBERS” or the “EXTREME NUMBERS,” determine whether a player wins a prize.

3. *Price:* The price of an Extreme Green ticket is \$20.

4. *Description of the Extreme Green lottery game:*

(a) The Extreme Green lottery game is an instant win game printed from a Lottery Terminal. With the exception of the Progressive Top Prize amount, all prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Extreme Green tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Extreme Green is played by matching the play symbols in the “WINNING NUMBERS” area to the play symbols located in the “YOUR NUMBERS” area. A player matching play symbols in this manner will win the prize shown under that “YOUR NUMBERS” play symbol. If the player matches any of the “EXTREME NUMBERS” play symbols to any of the “YOUR NUMBERS” play symbols located in the play area, the player wins ten (10) times the prize shown under the matching number. A bet slip is not used to play this game.

(c) Extreme Green is also played by finding at least three matching symbols in the BONUS GAME area. Players finding three matching symbols in this manner will win the corresponding prize shown in the PRIZE LEGEND. The BONUS GAME is played separately.

(d) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(e) An Extreme Green game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(f) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting an Extreme Green game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(g) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of an Extreme Green game ticket and select the Extreme Green option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. *Extreme Green ticket characteristics:*

(a) An Extreme Green ticket shall contain a play area, the cost of the play, the date the ticket was printed, and a bar code.

(b) *Play Symbols:* Each Extreme Green ticket play area will contain a “WINNING NUMBERS” area, an “EXTREME NUMBERS” area and a “YOUR NUMBERS” area. Each Extreme Green ticket play area will also contain a BONUS GAME that consists of seven play symbols and a PRIZE LEGEND. The play symbols located in the “WINNING NUMBERS” area, the “EXTREME NUMBERS” area and the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15

(FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FRTY). The play symbols located in the BONUS GAME are: Money Roll symbol, Bank Symbol, Stack of Coins symbol, Piggy Bank symbol, and a Wallet symbol.

(c) *Prize Symbols:* The prize symbols and their captions located under the “YOUR NUMBERS” play symbols are: \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and PROGRESSIVE (TOP PRIZE).

(d) *Prizes:* The prizes that can be won in this game are: \$20, \$30, \$40, \$50, \$100, \$200, \$500, \$1,000, \$10,000 and the Progressive Top Prize. The Progressive Top Prize amount starts at \$200,000 and increases by \$3⁰⁰ every time an Extreme Green ticket is purchased. When Progressive Top Prize winning ticket is sold, the Progressive Top Prize resets to \$200,000. The prizes that can be won in the BONUS GAME are: \$20, \$50 and \$100. A player can win up to a total of seven times on a ticket.

(e) *Approximate Number of Tickets Available for the Game:* Approximately 4,800,000 tickets will be available for sale for the Extreme Green lottery game.

6. *Prizes available to be won and determination of prize winners:*

(a) All Extreme Green prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Extreme Green ticket is entitled only to the highest prize won by the winning combinations in the BONUS GAME, as described below, on each game ticket.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of PROGRESSIVE (TOP PRIZE) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of a Progressive Top Prize. The amount won under this paragraph is the amount of the Progressive Top Prize, determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$200,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10,000 (TEN THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “EXTREME NUMBERS” play symbols and prize symbol of \$1,000 (ONE THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the

“EXTREME NUMBERS” play symbols and prize symbol of \$100 (ONE HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “EXTREME NUMBERS” play symbols and prize symbol of \$50⁰⁰ (FIFTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$200 (TWO HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “EXTREME NUMBERS” play symbols and prize symbol of \$20⁰⁰ (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$200.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which three (3) Stack of Coins symbols are found in the BONUS GAME, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(o) Holders of tickets upon which three (3) Bank symbols are found in the BONUS GAME, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and prize symbol of \$30⁰⁰ (THIRTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$30.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which three (3) Money Roll symbols are found in the BONUS GAME, on a single ticket, shall be entitled to a prize of \$20.

7. Number and Description of Prizes and Approximate Chances of Winning: The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>BONUS GAME:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
	\$20 w/ 3 MONEY ROLL SYMBOLS	\$20	12.5	384,000
\$20		\$20	14.29	336,000
\$30		\$30	16.67	288,000
\$20 × 2		\$40	66.67	72,000
\$20	\$20 w/ 3 MONEY ROLL SYMBOLS	\$40	28.57	168,000
\$40		\$40	100	48,000
\$30 + \$20		\$50	200	24,000
\$30	\$20 w/ 3 MONEY ROLL SYMBOLS	\$50	66.67	72,000
	\$50 w/ 3 BANK SYMBOLS	\$50	50	96,000
\$50		\$50	100	48,000
\$20 × 5		\$100	4,800	1,000
(\$20 × 3) + \$40		\$100	4,800	1,000
(\$30 × 2) + \$40		\$100	4,800	1,000

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>BONUS GAME:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
(\$40 × 2) + \$20		\$100	4,800	1,000
(\$20 × 2) + \$40	\$20 w/ 3 MONEY ROLL SYMBOLS	\$100	4,800	1,000
\$30 + \$20	\$50 w/ 3 BANK SYMBOLS	\$100	4,800	1,000
\$30	(\$50 w/ 3 BANK SYMBOLS) + (\$20 w/ 3 MONEY ROLL SYMBOLS)	\$100	4,800	1,000
\$40 × 2	\$20 w/ 3 MONEY ROLL SYMBOLS	\$100	4,800	1,000
\$50	\$50 w/ 3 BANK SYMBOLS	\$100	4,800	1,000
	\$100 w/ 3 COIN SYMBOLS	\$100	2,400	2,000
\$100		\$100	4,800	1,000
\$50 × 4		\$200	15,000	320
\$100 × 2		\$200	15,000	320
(\$30 × 2) + \$20	(\$100 w/ 3 COIN SYMBOLS) + (\$20 w/ 3 MONEY ROLL SYMBOLS)	\$200	15,000	320
(\$20 × 4) + \$100	\$20 w/ 3 MONEY ROLL SYMBOLS	\$200	15,000	320
(\$40 × 2) + \$50	(\$50 w/ 3 BANK SYMBOLS) + (\$20 w/ 3 MONEY ROLL SYMBOLS)	\$200	15,000	320
(\$40 × 3) + (\$20 × 3)	\$20 w/ 3 MONEY ROLL SYMBOLS	\$200	15,000	320
\$50 × 2	\$100 w/ 3 COIN SYMBOLS	\$200	15,000	320
\$100 + \$50	\$50 w/ 3 BANK SYMBOLS	\$200	15,000	320
\$100 + \$50 + \$30	\$20 w/ 3 MONEY ROLL SYMBOLS	\$200	15,000	320
\$100	\$100 w/ 3 COIN SYMBOLS	\$200	15,000	320
\$20 w/ EXTREME MATCH		\$200	230.77	20,800
\$200		\$200	15,000	320
\$100 × 5		\$500	60,000	80
\$200 × 2	\$100 w/ 3 COIN SYMBOLS	\$500	60,000	80
(\$100 × 3) + (\$50 × 3)	\$50 w/ 3 BANK SYMBOLS	\$500	24,000	200
(\$200 × 2) + (\$40 × 2)	\$20 w/ 3 MONEY ROLL SYMBOLS	\$500	60,000	80
(\$20 w/ EXTREME MATCH) + (\$100 × 2)	\$100 w/ 3 COIN SYMBOLS	\$500	24,000	200
(\$20 w/ EXTREME MATCH) × 2	\$100 w/ 3 COIN SYMBOLS	\$500	24,000	200
\$50 w/ EXTREME MATCH		\$500	60,000	80

<i>When Any Of YOUR NUMBERS Match Any WINNING NUMBER, Win Prize Shown Under The Matching Number. Win With:</i>	<i>BONUS GAME:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$500		\$500	60,000	80
\$500 × 2		\$1,000	120,000	40
(\$200 × 3) + (\$100 × 3)	\$100 w/ 3 COIN SYMBOLS	\$1,000	120,000	40
(((\$20 w/ EXTREME MATCH) × 3) + (\$100 × 3))	\$100 w/ 3 COIN SYMBOLS	\$1,000	60,000	80
(\$50 w/ EXTREME MATCH) × 2		\$1,000	120,000	40
\$100 w/ EXTREME MATCH		\$1,000	120,000	40
\$1,000		\$1,000	120,000	40
\$1,000 w/ EXTREME MATCH		\$10,000	480,000	10
\$10,000		\$10,000	480,000	10
PROGRESSIVE	TOP PRIZE	\$200,000*	240,000	20

When any of "YOUR NUMBERS" match any "EXTREME NUMBER," win 10 TIMES the prize shown under the matching number.

BONUS GAME: When you find three matching symbols in the BONUS GAME, win corresponding prize shown in the PRIZE LEGEND below. BONUS GAME is played separately.

***PROGRESSIVE TOP PRIZE:** The minimum value of the PROGRESSIVE TOP PRIZE is \$200,000. The PROGRESSIVE TOP PRIZE increases by \$3⁰⁰ every time a ticket is purchased, and resets to \$200,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. Ticket Responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. Ticket Validation and Requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. Procedures for claiming and payment of prizes:

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

(2) A claim form is properly and fully completed;

(3) The identification of the claimant is confirmed; and

(4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this subsection. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the winning Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the winning Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Progressive Top Prize Restrictions:*

(a) An amount of \$3⁰⁰ from the sale of each Extreme Green ticket will be accumulated in the Progressive Top Prize pool.

(b) *Prize Amount:* The amount of the Progressive Top Prize at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the Progressive Top Prize are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Extreme Green game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The Progressive Top Prize and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a Progressive Top Prize being reset without the actual sale of a Progressive Top Prize winning ticket, all prize money that had accumulated into the Progressive Top Prize pool (i.e. \$3⁰⁰ from the sale of each ticket) shall be awarded as part of the next Progressive Top Prize won.

15. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Extreme Green lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Extreme Green lottery game tickets.

18. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Extreme Green or through normal communications methods.

20. *Applicability:* This notice applies only to the Extreme Green lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-305. Filed for public inspection March 1, 2019, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Three to Win Fast Play Game 5053

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 803.11 (relating to powers and duties of the Secretary of Revenue), the Secretary of Revenue hereby provides public notice of the rules for the following lottery game:

1. *Name:* The name of the lottery game is Pennsylvania Three to Win (hereinafter "Three to Win"). The game number is PA-5053.

2. Definitions:

(a) *Authorized Retailer or Retailer*: A person who is properly licensed by the Lottery pursuant to 61 Pa. Code §§ 805.1—805.17.

(b) *Bar Code*: The symbology on the ticket containing certain encrypted validation and accounting data used for identifying winning and losing tickets.

(c) *Game Ticket*: A bearer instrument produced through a Lottery Terminal that is the player's record of a play for a Fast Play lottery game and sold by an authorized retailer containing the play and validation data as published in this game notice.

(d) *LINE*: A specific, pre-defined portion of the play area, which contains three play symbols and a prize symbol in a column or row, that when played according to the instructions, determine whether a player wins a prize. Each LINE is played separately.

(e) *Lottery Central Computer System*: The computer gaming system on which all Fast Play plays are recorded.

(f) *Lottery Terminal*: A device authorized by the Lottery to function in an interactive mode with the Lottery Central Computer System for the purpose of issuing plays, executing Quick Pick selections, and entering, receiving, and processing lottery transactions, including making purchases, validating plays, and transmitting reports, and performing inventory functions.

(g) *Play*: A chance to participate in a particular Fast Play lottery game.

(h) *Play Area*: The area on a ticket which contains one or more play symbols.

(i) *Play Symbol*: A number, letter, symbol, image or other character found in the play area which is used to determine whether a player wins a prize.

(j) *Prize*: A non-monetary item, money, or experience that can be won as specified in section 6 (relating to prizes available to be won and determination of prize winners) of this game notice.

(k) *Progressive Top Prize*: The top prize available for this game that begins with a minimum prize amount that grows at a pre-determined rate every time a ticket is purchased, and then resets to the minimum prize amount whenever a top prize winning ticket is sold.

(l) *WINNING NUMBERS*: The numbers, letters, symbols or other characters found in the play area that, when matched against the play symbols in any "LINE," determine whether a player wins a prize.

(m) *Winning Ticket*: A game ticket which has been validated and qualifies for a prize.

3. *Price*: The price of a Three to Win ticket is \$1.

4. Description of the Three to Win lottery game:

(a) The Three to Win lottery game is an instant win game printed from a Lottery Terminal. With the exception of the Progressive Top Prize amount, all prizes are predetermined, and the player does not have the ability to select his or her own play symbols. Three to Win tickets may be purchased from an authorized retailer or at a Lottery self-service terminal that sells terminal-based Lottery game tickets. Tickets purchased from an authorized retailer shall be printed on-demand at the time of purchase and may not be preprinted by the retailer.

(b) Three to Win is played by matching the play symbols in the "WINNING NUMBERS" area to the play

symbols located in each "LINE." A player matching all three play symbols in any "LINE" to any of the "WINNING NUMBERS" play symbols will win the prize shown for that "LINE." A bet slip is not used to play this game.

(c) Players can win the prize identified in section 6 (relating to prizes available to be won and determination of prize winners).

(d) A Three to Win game ticket cannot be canceled or voided once printed by the Lottery Terminal, even if printed in error.

(e) To purchase a ticket at an authorized retailer, a player must remit the purchase price to the retailer by verbally requesting a Three to Win game ticket. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

(f) To purchase a ticket at a Pennsylvania Lottery self-service terminal, the player must insert into the self-service terminal a dollar amount equal to the total purchase price of a Three to Win game ticket and select the Three to Win option on the Lottery self-service terminal. The ticket shall be the only valid proof of the bet placed and the only valid receipt for claiming a prize.

5. Three to Win ticket characteristics:

(a) A Three to Win ticket shall contain a play area, the cost of the play, the date of sale, and a bar code. Each ticket consists of six "LINE" areas. Each "LINE" is played separately.

(b) *Play Symbols*: Each Three to Win ticket play area will contain a "WINNING NUMBERS" area and six "LINE" areas. The play symbols located in the "WINNING NUMBERS" area and each "LINE" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FRTY).

(c) *Prize Symbols*: The prize symbols and their captions located in the play area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTEEN), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN) and PRO (TOP PRIZE).

(d) *Prizes*: The prizes that can be won in this game are: Free \$1 Fast Play Ticket, \$1, \$2, \$3, \$5, \$10, \$15, \$20, \$40, \$100 and the Progressive Top Prize. The Progressive Top Prize amount starts at \$3,000 and increases by \$0.19 every time a Three to Win ticket is purchased. When Progressive Top Prize winning ticket is sold, the Progressive Top Prize resets to \$3,000. A player can win up to four times on a ticket.

(e) *Approximate Number of Tickets Available for the Game*: Approximately 2,400,000 tickets will be available for sale for the Three to Win lottery game.

6. Prizes available to be won and determination of prize winners:

(a) All Three to Win prize payments will be made as one-time, lump-sum cash payments.

(b) A winning Three to Win ticket is entitled only to the highest prize won by the winning combinations described below on each game ticket.

(c) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three play symbols in the same "LINE," and a prize symbol of PRO (TOP PRIZE) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of Progressive Top Prize. The amount won under this paragraph is the amount of the Progressive Top Prize, determined by the Lottery Central Computer System, as of the time the winning ticket was purchased. The amount won will be a minimum of \$3,000.

(d) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three play symbols in the same "LINE," and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three play symbols in the same "LINE," and a prize symbol of \$40^{.00} (FORTY) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$40.

(f) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three play symbols in the same "LINE," and a prize symbol of \$20^{.00} (TWENTY) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three play symbols in the same "LINE," and a prize symbol of \$15^{.00} (FIFTEEN) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$15.

(h) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three play symbols in the same "LINE," and a prize symbol of

\$10^{.00} (TEN DOL) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three play symbols in the same "LINE," and a prize symbol of \$5^{.00} (FIV DOL) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three play symbols in the same "LINE," and a prize symbol of \$3^{.00} (THR DOL) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$3.

(k) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three play symbols in the same "LINE," and a prize symbol of \$2^{.00} (TWO DOL) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$2.

(l) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three play symbols in the same "LINE," and a prize symbol of \$1^{.00} (ONE DOL) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of \$1.

(m) Holders of tickets upon which any three of the "WINNING NUMBERS" play symbols match all three play symbols in the same "LINE," and a prize symbol of FREE (TICKET) appears in the "Prize" area for that "LINE," on a single ticket, shall be entitled to a prize of one Three to Win game ticket.

7. *Number and Description of Prizes and Approximate Chances of Winning:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate chances of winning:

<i>Match The Winning Numbers To The Numbers In Each LINE. When You Match All Three Numbers In Any LINE, Win Prize Shown For That LINE. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,400,000 Tickets</i>
FREE	FREE \$1 TICKET	9.8	244,800
\$1	\$1	16.95	141,600
\$1 × 2	\$2	36.36	66,000
\$2	\$2	35.09	68,400
\$1 × 3	\$3	500	4,800
\$2 + \$1	\$3	1,000	2,400
\$3	\$3	1,000	2,400
(\$1 × 3) + \$2	\$5	333.33	7,200
(\$2 × 2) + \$1	\$5	333.33	7,200
\$5	\$5	250	9,600
\$5 × 2	\$10	500	4,800
(\$3 × 2) + (\$2 × 2)	\$10	1,000	2,400
(\$3 × 3) + \$1	\$10	1,000	2,400
\$10	\$10	1,000	2,400
\$5 × 3	\$15	2,500	960

<i>Match The Winning Numbers To The Numbers In Each LINE. When You Match All Three Numbers In Any LINE, Win Prize Shown For That LINE. Win With:</i>	<i>Win:</i>	<i>Approximate Chances Of Winning Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,400,000 Tickets</i>
$(\$5 \times 2) + \$3 + \$2$	\$15	5,000	480
$\$10 + \5	\$15	5,000	480
\$15	\$15	5,000	480
$\$10 \times 2$	\$20	6,000	400
$(\$5 \times 2) + \10	\$20	6,000	400
$\$10 + \$5 + \$3 + \2	\$20	6,000	400
\$20	\$20	3,000	800
$\$20 \times 2$	\$40	12,000	200
$(\$10 \times 2) + \20	\$40	12,000	200
$(\$15 \times 2) + \10	\$40	12,000	200
\$40	\$40	12,000	200
$(\$20 \times 3) + \40	\$100	60,000	40
$(\$40 \times 2) + \20	\$100	60,000	40
\$100	\$100	60,000	40
PROGRESSIVE TOP PRIZE	\$3,000*	120,000	20

Each LINE is played separately.

*PROGRESSIVE TOP PRIZE: The minimum value of the PROGRESSIVE TOP PRIZE is \$3,000. The PROGRESSIVE TOP PRIZE increases by 19¢ every time a ticket is purchased, and resets to \$3,000 whenever a top prize winning ticket is sold.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. Ticket Responsibility:

(a) A Fast Play lottery game ticket is a bearer document deemed to be owned by the person holding the game ticket, except that if a name is contained on the back of the game ticket, the person so named will, for all purposes, be considered the owner of the game ticket.

(b) The holder of a Fast Play lottery game ticket has the sole responsibility for checking the accuracy and condition of the data printed on the game ticket.

(c) The Commonwealth shall not be responsible for a lost or stolen Fast Play lottery game ticket, or for a Fast Play ticket redeemed by a player in error.

9. Ticket Validation and Requirements:

(a) *Valid Fast Play lottery game tickets.* To be a valid Fast Play lottery game ticket, the presented game ticket must meet the following requirements:

(1) The game ticket's bar code shall be present in its entirety.

(2) The game ticket must be intact.

(3) The game ticket may not be mutilated, altered, reconstituted or tampered with.

(4) The game ticket may not be counterfeit or a duplicate of a winning ticket.

(5) The game ticket must have been validly issued.

(6) The game ticket data shall have been recorded on the Lottery Central Computer System and the game ticket data shall match the computer record in every respect.

(7) The game ticket must not be defectively printed or printed or produced in error such that it cannot be processed or validated by the Lottery.

(8) The game ticket must pass other confidential security checks of the Lottery.

(b) *Invalid or defective game tickets:* A game ticket not passing the validation requirements in subsection (a) will be considered invalid and no payment will be made on account of any play recorded thereon. The determination of the Secretary in this regard is final.

10. Procedures for claiming and payment of prizes:

(a) A prize may be claimed through an authorized retailer or the Lottery, as provided in this section. A prize must be claimed within 1 year of the sale date of the Fast Play lottery game ticket.

(b) An authorized retailer is authorized to pay prizes of \$2,500 or less. The holder of a game ticket evidencing a winning play representing a prize of \$2,500 or less may be paid by a participating authorized retailer if a proper validation pay ticket was issued by the retailer's Lottery Terminal.

(c) The holder of a game ticket evidencing a winning play representing a prize in excess of \$2,500 may present the game ticket to an authorized retailer, Lottery District Office, or Lottery Headquarters.

(d) The holder of a game ticket evidencing a winning play shall present the ticket, in person, to an authorized retailer, Lottery Headquarters or a Lottery District Office. The retailer or the Lottery will issue payment if:

(1) The game ticket is scanned and the play is validated through the Lottery Terminal or the Lottery Central Computer System;

- (2) A claim form is properly and fully completed;
- (3) The identification of the claimant is confirmed; and
- (4) The winning ticket has not expired, pursuant to this section or section 12 (relating to unclaimed prizes).

(e) The Commonwealth shall not be responsible for a winning play paid in error by an authorized retailer.

(f) In the event a prize described in these rules is not available, the Lottery may either provide a substitute prize, determined by the Secretary to have an equivalent value to the prize won, or make a cash payment to the winner, in an amount determined by the Secretary to have an equivalent value to the prize won.

11. *Funding for prizes:* Moneys will be drawn from the State Lottery Fund, to the extent necessary, to fund the payment of prizes under this section. If this lottery game is terminated for any cause, prize moneys remaining undistributed will remain in the State Lottery Fund and used for purposes otherwise provided for by law.

12. *Unclaimed prizes:* Unclaimed prize money on winning Fast Play lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the sale date of the Fast Play lottery game ticket. If no claim is made within 1 year from the sale date of the Fast Play lottery game ticket, the right of a ticket holder to claim the prize represented by that ticket, if any, shall expire.

13. *Purchase and prize restrictions:* A Fast Play lottery game ticket may not be purchased by, and a prize may not be paid, to an officer or employee of the Lottery, Lottery professional services contractors or subcontractors, or to a spouse, child, brother, sister or parent residing in the same household of an officer, employee, contractor or subcontractor who is involved in the production, distribution or operation of systems for the validation or accounting of Fast Play games.

14. *Progressive Top Prize Restrictions:*

(a) An amount of 19¢ from the sale of each Three to Win ticket will be accumulated in the Progressive Top Prize pool.

(b) *Prize Amount:* The amount of the Progressive Top Prize at the time a ticket is purchased can only be verified through the Lottery's Central Computer System. Any advertisement or any materials describing the amount of the Progressive Top Prize are only valid as of the time they are posted. If any discrepancy exists between this notice and any material describing or advertising the Three to Win game, this notice and the data contained in the Lottery's Central Computer System shall govern.

(c) The Progressive Top Prize and all other prizes are subject to availability at the time of purchase. The Lottery is not responsible for prizes that are not awarded due to technical issues. In the event of a Progressive Top Prize being reset without the actual sale of a Progressive Top Prize winning ticket, all prize money that had accumulated into the Progressive Top Prize pool (i.e. 19¢ from the sale of each ticket) shall be awarded as part of the next Progressive Top Prize won.

15. *Governing Law:*

(a) By purchasing a ticket, the purchaser agrees to comply with and abide by the State Lottery Law (72 P.S.

§§ 3761-101—3761-314), this notice, instructions, conditions and final decisions of the Secretary, and procedures established by the Secretary for the conduct of the Fast Play Three to Win lottery game.

(b) Decisions made by the Secretary, including the declaration of prizes and the payment thereof, in interpretation of this notice are final and binding on players and persons making a claim in respect thereof.

16. *Retailer Compensation:*

(a) Authorized retailers may be entitled to compensation as determined by the Lottery.

(b) No authorized retailer or employee of an authorized retailer shall request, demand, or accept gratuities or any compensation other than as provided in subsection (a) in exchange for the performance of duties authorized pursuant to the Lottery retailer's license without the Lottery's prior written authorization.

17. *Retailer Incentive Programs.* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Fast Play Three to Win lottery game tickets.

18. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Fast Play lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the Fast Play game ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery Fast Play game ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

19. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Three to Win or through normal communications methods.

20. *Applicability:* This notice applies only to the Three to Win lottery game announced in this notice.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 19-306. Filed for public inspection March 1, 2019, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meeting Scheduled

The Health Care Cost Containment Council (Council) has scheduled the following meeting: Thursday, March 7, 2019—Council meeting at 10 a.m.

The meeting will be held at 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodation due to a disability who wish to attend, should contact Reneé Greenawalt, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

JOE MARTIN,
Executive Director

[Pa.B. Doc. No. 19-307. Filed for public inspection March 1, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA.

Appeal of Dylan E. Dotson; Palisades Insurance Company; File No. 18-177-233015; Doc. No. P19-02-014; March 26, 2019, 10 a.m.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-308. Filed for public inspection March 1, 2019, 9:00 a.m.]

OFFICE OF ADMINISTRATION

Notice of Minimum Wage Increase under Executive Order 2016-02 Amended, Establishing a Minimum Wage for Employees of the Commonwealth and of Organizations Receiving State Contracts

Executive Order 2016-02 Amended (Executive Order), Minimum Wage for Employees of the Commonwealth and of Organizations Receiving State Contracts, was signed by Governor Tom Wolf on June 28, 2018. The Executive Order raised the hourly minimum wage paid to employees of Commonwealth agencies under the Governor's jurisdiction to \$12.00 per hour, beginning July 1, 2018, and paid by contractors to workers performing work on or in connection with covered State contracts, as described in the Executive Order, to \$12.00 per hour, beginning on the effective date of the applicable contract or lease solicited or bilaterally modified on or after July 1, 2018; and beginning January 1, 2019, and annually thereafter, to an amount determined in accordance with the methodology set forth in the Executive Order.

Under Executive Order 2016-02 Amended, notice is hereby given that beginning July 1, 2019, the minimum wage rate to be paid to employees of Commonwealth agencies under the jurisdiction of the Governor and workers performing work on or in connection with covered State contracts, as described in section 2 of the Executive Order, will increase to \$12.50 per hour.

This notice is effective on March 1, 2019.

MICHAEL NEWSOME,
Secretary

[Pa.B. Doc. No. 19-309. Filed for public inspection March 1, 2019, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Thursday, March 14, 2019.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

REGINA M. HOFFMAN, RN, BSN, MBA, CPPS,
Executive Director

[Pa.B. Doc. No. 19-310. Filed for public inspection March 1, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a

common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by March 18, 2019. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.

A-2019-3007687. Pleasant Transport, LLC (713 Dunkelberger Road, Elliptsburg, Perry County, PA 17024) persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating a motor vehicle, or limited to persons 60 years of age or older, between points in the Counties of Cumberland, Dauphin, Juniata, Mifflin and Perry. *Attorney:* Michael L. Bangs, 429 South 18th Street, Camp Hill, PA 17011.

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 persons by transfer of rights as described under each application.

A-2019-3007643. SLS PA, Inc., t/a Celebrity Worldwide Transportation (15 Church Street, Upland, Delaware County, PA 19015) persons, in group and party service, in vehicles seating between 11 and 15 passengers, including the driver, from points in the Counties of Montgomery, Delaware, Chester and Bucks, to points in Pennsylvania, and return; excluding service in areas under the jurisdiction of the Philadelphia Parking Authority, which is to be a transfer of all rights authorized under the certificate issued at A-00122969, F.3, to Secrets Service, LLC, subject to the same limitations and conditions. *Attorney:* Anthony D. Giannascoli, 460 Creamery Way, Suite 109, Exton, PA 19341.

A-2019-3007648. SLS PA, Inc., t/a Celebrity Worldwide Transportation (15 Church Street, Upland, Delaware County, PA 19015) persons, in limousine service, from points in the Counties of Montgomery, Delaware, Chester, Bucks and Lehigh, to points in Pennsylvania, and return; excluding service in areas under the jurisdiction of the Philadelphia Parking Authority, which is to be a transfer of all rights authorized under the certificate issued at A-00122969, F.1, to Secrets Service, LLC, subject to the same limitations and conditions. *Attorney:* Anthony D. Giannascoli, 460 Creamery Way, Suite 109, Exton, PA 19341.

Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.

A-2018-3006361. Krise Transportation, Inc. (1325 Scotland Avenue Extension, Punxsutawney, Jefferson

County, PA 15767) persons, in paratransit service, from points in the Counties of Allegheny, Erie, Jefferson and Lawrence, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-311. Filed for public inspection March 1, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Telecommunications

A-2019-3007860. Citizens Telecommunications Company of New York, Inc., Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, LLC, Frontier Communications of Lakewood, LLC, Frontier Communications of Oswayo River, LLC, Frontier Communications of Pennsylvania, LLC and Southern Light, LLC. Joint petition of Citizens Telecommunications Company of New York, Inc., Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, LLC, Frontier Communications of Lakewood, LLC, Frontier Communications of Oswayo River, LLC, Frontier Communications of Pennsylvania, LLC and Southern Light, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Citizens Telecommunications Company of New York, Inc., Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, LLC, Frontier Communications of Lakewood, LLC, Frontier Communications of Oswayo River, LLC, Frontier Communications of Pennsylvania, LLC and Southern Light, LLC, by their counsel, filed on February 13, 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 Citizens Telecommunications Company of New York, Inc., Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, LLC, Frontier Communications of Lakewood, LLC, Frontier Communications of Oswayo River, LLC, Frontier Communications of Pennsylvania, 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. 19-312. Filed for public inspection March 1, 2019, 9:00 a.m.]

**PHILADELPHIA
PARKING AUTHORITY**

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as a common carrier in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than March 18, 2019. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

Doc. No. A-19-02-12. Kenitra Taxi, Inc. (2065 Kent Road, Folcroft, PA 19032): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

Doc. No. A-19-02-13. 3R & 3Sahunta Taxi, LLC (912 South 16th Street, 1st Floor, Philadelphia, PA 19146): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 1080 North Delaware Avenue, Suite 505, Philadelphia, PA 19125.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 19-313. Filed for public inspection March 1, 2019, 9:00 a.m.]

**STATE CONSERVATION
COMMISSION**

Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), 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) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

Important legal rights are at stake, so individuals interested in challenging this action should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Junk-Inn Farms, LLC— C Farm James and Benjamin Junkin 13515 Creek Road Willow Hill, PA 17271	Franklin County/ Metal Township	726.9	Swine	New	Approved
Reu-Hel Farms, Inc. Connie, Scott and Jason Troutman 638 Railroad Road Mohrsville, PA 19541	Berks County/ Centre Township	77.8	Duck	New	Approved

NOTICES

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended or Existing</i>	<i>Action Taken</i>
Schrack Farms—Moyer Farm James Harbach 2591 West Valley Road Loganton, PA 17747	Clinton County/ Logan Township	0	Cattle	New	Approved
Darren R. Martin 1535 Red Bank Road Mifflinburg, PA 17844	Union County/ West Buffalo Township	0	Turkey	New	Approved

PATRICK McDONNELL,
Chairperson

[Pa.B. Doc. No. 19-314. Filed for public inspection March 1, 2019, 9:00 a.m.]