

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending February 13, 2018.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the

*Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Branch Discontinuances

No activity.

### CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,  
*Secretary*

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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### APPLICATIONS

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

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

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

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

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

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

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

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

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

**I. NPDES Renewal Applications.**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0065196 (Sewage)	Powell Property (Formerly Schnellman) 5160 Shimerville Road Emmaus, PA 18049-4958	Lehigh County Upper Milford Township	Leibert Creek (2-C)	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 &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114111 (Sewage)	South Shore Recreation Area Cowanesque Lake Wastewater Treatment Plant 710 Ives Run Lane Tioga, PA 16946-8643	Tioga County Lawrence Township	Cowanesque River (4-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0210668 (Sewage)	Andromeda House 1511 Peach Street Erie, PA 16501-2104	Crawford County Bloomfield Township	Unnamed Tributary to Pine Hollow Run (16-E)	Yes

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

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

**PA0057690**, Industrial, SIC Code 3731, **Aker Philadelphia Shipyard**, 2100 Kitty Hawk Avenue, Philadelphia, PA 19112-1808. Facility Name: Philly Shipyard Inc. This existing facility is located in Philadelphia City, **Philadelphia County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of Industrial Wastewater, groundwater and river water return.

The receiving stream(s), Schuylkill River and Delaware River, is located in State Water Plan watershed 3-F and 3-J 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 012 are based on flow of 2.88 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (GPM)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Suspended Solids Effluent Net	XXX	XXX	XXX	100.0	200.0	250
Oil and Grease	XXX	XXX	XXX	15	XXX	30

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	Report	Report	XXX
Lead, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	Report	Report	XXX
1,2-Dichloroethane	XXX	XXX	XXX	Report	Report	XXX
Tetrachloroethylene	XXX	XXX	XXX	Report	Report	XXX
Trichloroethylene	XXX	XXX	XXX	Report	Report	XXX
PCBs Dry Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfalls 019 and 021 are based on stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	XXX	XXX	Report
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	Report
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	Report
PCBs Wet Weather Analysis (pg/L)	XXX	XXX	XXX	XXX	Report Daily Max	XXX

The proposed effluent limits for Outfalls 022, 023, 026, 027 and 029 are based on stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	XXX	XXX	Report
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	XXX	Report
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	Report
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	Report

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

#### OTHER REQUIREMENTS

- Notification of Wet-Berthing
- Necessary Property Rights
- Sludge Removal
- BAT/BCT Standards
- Public Nuisance
- Ownership change
- TMDL/WLA Analysis
- No Chemical Additions
- BMPs related to ship building
- Schuylkill River assessment
- Sealed piping for flooded Dry Dock 5
- Net TSS reporting

#### STORMWATER REQUIREMENTS

#### PCB MINIMIZATION PLAN

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

The EPA Waiver is in effect.

*Southcentral Regional Office: Regional Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Telephone: 717.705.4800.*

**PA0083704**, Industrial, SIC Code 4941, **Shippensburg Borough Authority**, PO 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 0.0851 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	4.0	5.0
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5

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

**PA0007498**, Industrial, SIC Code 2096, **Wise Foods, Inc.**, 228 Rasely Street, Berwick, PA 18603-4533. Facility Name: Berwick Snack Food Plant. This existing facility is located in Berwick Borough, **Columbia 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), Susquehanna River, is located in State Water Plan watershed 5-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.2798 MGD.

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	XXX	9.0
			Inst Min			
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	290	580	XXX	125.0	250.0	310
					Wkly Avg	
Total Suspended Solids	600	1,050	XXX	258.0	450.0	645
Oil and Grease	Report	Report	XXX	15.0	20.0	XXX
Ammonia-Nitrogen	90	175	XXX	39.0	75.0	95
Copper, Total	XXX	Report	XXX	XXX	Report	XXX
Iron, Total	5.90	11.8	XXX	2.53	5.06	6.32

The proposed effluent limits for Outfall 001 are based on a design flow of 0.2798 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	75,781	XXX	XXX	XXX	XXX	XXX
	Annl Avg					
Total Suspended Solids	142,450	XXX	XXX	XXX	XXX	XXX
	Annl Avg					

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Monthly	Annual	Monthly	Monthly Average	Maximum	Instant. Maximum
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual	Monthly	Monthly Average	Maximum	
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen	Report	19,957	XXX	XXX	XXX	XXX
Net Total Phosphorus	Report	898	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.

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.

**PA0234117**, Sewage, SIC Code 4952, **West Branch Regional Authority**, PO Box 428, Muncy, PA 17756-0428. Facility Name: West Branch Regional Authority Wastewater Treatment Plant. This existing facility is located in Clinton Township, **Lycoming County**.

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

The receiving stream(s), West Branch Susquehanna River, is located in State Water Plan watershed 10-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 2.4 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min Report Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	500	800	XXX	25.0	40.0	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )		Wkly Avg				
Raw Sewage Influent Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	600	900	XXX	30.0	45.0	XXX
		Wkly Avg				
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
Chromium, Hexavalent	Total Mo XXX	Report	XXX	XXX	Report Daily Max 129.20	XXX
Copper, Total (µg/L)	1.29	2.58	XXX	64.60	Daily Max	161.5

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Monthly	Annual	Monthly	Monthly Average	Maximum	
Total Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Effluent Net	XXX	42,508	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs)	XXX	Report	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Total Phosphorus (Total Load, lbs)	XXX	5,728	XXX	XXX	XXX	XXX
(lbs)		Total Annual				
Effluent Net	XXX	Report	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs)	XXX	Total Annual	XXX	XXX	XXX	XXX
(lbs)						

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.*

**PA0265250**, Sewage, SIC Code 8800, **Cindy Schmoker**, 640 State Lot Road, Spartansburg, PA 16434-5628. Facility Name: Cindy Schmoker SRSTP. This proposed facility is located in Limestone Township, **Warren County**.

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

The receiving stream, the Allegheny River, is located in State Water Plan watershed 16-F and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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.

**PA0020257**, Sewage, SIC Code 4952, **Grove City Borough**, P.O. Box 110, Grove City, PA 16127-0110. Facility Name: Grove City Borough STP. This existing facility is located in Grove City Borough, **Mercer 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), Wolf Creek, is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	Max XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	625	1,000	XXX	25.0	40.0	50
May 1 - Oct 31	375	560	XXX	15.0	22.5	30
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	750	1,125	XXX	30.0	45.0	60
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
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
Ultraviolet light transmittance (%)	XXX	XXX	Report	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	250	XXX	XXX	10.0	XXX	21
May 1 - Oct 31	87.5	XXX	XXX	3.5	XXX	7
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		

The proposed effluent limits for Outfall 001 are based on a design flow of 3.342 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	6.0 Daily Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	300	450	XXX	15.0	22.5	30
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	555	835	XXX	20.0	30.0	40
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
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
Ultraviolet light transmittance (%)	XXX	XXX	Report	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	250	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	80	XXX	XXX	3.0	XXX	6
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		

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

- Whole Effluent Toxicity

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

The EPA Waiver is not in effect.

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

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

**WQM Permit No. 1518401**, Sewage, **Oxford Area Sewer Authority**, 14 South Third Street, Oxford, PA 19363.

This proposed facility is located in Oxford Borough, **Chester County**.

Description of Action/Activity: Construction and operation of a new pumping station.

**WQM Permit No. WQG02151607**, Sewage, **West Brandywine Township Municipal Authority**, 199 Lafayette Road, West Brandywine, PA 19320.

This proposed facility is located in West Brandywine Township, **Chester County**.

Description of Action/Activity: A proposed pump station reconstruction and new force main installation.

**WQM Permit No. WQG02091710**, Sewage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

Description of Action/Activity: Low pressure sewer system to serve 10 lot-subdivison.

**WQM Permit No. WQG02151801**, Sewage, **Concord Township**, 43 Thornton Road, Glen Mills, PA 19342.

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

Description of Action/Activity: Construction and operation of a collection and conveyance system.

**WQM Permit No. 2318401**, Sewage, **DELCORA**, PO Box 999, Chester, PA 19016-0999.

This proposed facility is located in the City of Chester, **Delaware County**.

Description of Action/Activity: Construction and operation of a pumping station.

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

**WQM Permit No. 3718403**, Sewage, **Randy Boyles**, 567 Smalls Ferry Road, New Castle, PA 16102.

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

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

**WQM Permit No. 2518404**, Sewage, **Donald Hamme Jr**, 183 Young Road, Erie, PA 16509.

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

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

**WQM Permit No. 2501418 A-1**, Sewage, **John Ditrich Subdivision Properties Owners Association Inc.**, 8062 Harboregreene Road, Erie, PA 16510-5763.

This existing facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Amendment to replace chlorination disinfection system with UV disinfection unit.

**WQM Permit No. WQG01431801**, Sewage, **Thomas C Pesci**, 227 Corey Drive, Gibsonia, PA 15044.

This proposed facility is located in Wilmington Township, **Mercer County**.

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

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

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

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD630026	Washington County Planning Commission 100 West Beau Street Suite 701 Washington, PA 15301	Washington County	Cross Creek Township	Cross Creek (HQ-WWF)



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

PAG-12            CAFOs

**MS4 PAG-13 Notices of Intent Received.***Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136237	Borough of Ben Avon Heights 6 Lynton Lane Pittsburgh, PA 15202-1327	Ben Avon Heights Borough, Allegheny County	Y	N
PAG136241	Thornburg Borough 545 Hamilton Road Pittsburgh, PA 15205-1708	Thornburg Borough, Allegheny County	Y	N
PAG136156	Pulaski Township Beaver County 3401 Sunflower Road New Brighton, PA 15066-2639	Pulaski Township, Beaver County	N	Y
PAG136120	Monaca Borough Beaver County Pennsylvania Avenue Ext Monaca, PA 15061	Monaca Borough, Beaver County	N	Y
PAG136249	Richland Township Cambria County 322 Schoolhouse Road Johnstown, PA 15904-2924	Richland Township, Cambria County	N	Y
PAG136272	Center Township Beaver County 224 Center Grange Road Aliquippa, PA 15001-1421	Center Township, Beaver County	N	Y
PAG136193	North Irwin Borough 21 2nd Street Irwin, PA 15642-3326	North Irwin Borough, Westmoreland County	Y	N
PAG136305	Uniontown City 20 North Gallatin Avenue Uniontown, PA 15401-3545	Uniontown City, Fayette County	N	Y
PAG136393	Menallen Township 427 Searights Herbert Road Uniontown, PA 15401	Menallen Township, Fayette County	Y	N
PAG136211	Carroll Township Washington County 130 Baird Street Monongahela, PA 15063-1008	Carroll Township, Washington County	N	Y
PAG136124	New Brighton Borough Beaver County 610 Third Avenue New Brighton, PA 15066	New Brighton Borough, Beaver County	N	Y
PAG136364	East Washington Borough Washington County 15 Thayer Street Washington, PA 15301-3628	East Washington Borough, Washington County	N	Y
PAG136234	Beaver Falls City Beaver County 715 15th Street Beaver Falls, PA 15010-4124	Beaver Falls City, Beaver County	N	Y
PAG136135	Scottdale Borough Westmoreland County 10 Mount Pleasant Road Scottdale, PA 15683-1208	Scottdale Borough, Westmoreland County	N	Y

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Robert & Michael Shearer 806 Anderson Ferry Rd Mount Joy, PA 17552	Lancaster	43.1	682.3	Swine/Beef	NA	R

**PUBLIC WATER SUPPLY (PWS)  
PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

**Applications Received Under the Pennsylvania Safe Drinking Water Act.**

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

**Permit No. 6717515**, Public Water Supply.

Applicant	<b>The York Water Company</b>
Municipality	Loganville Borough
County	<b>York</b>
Responsible Official	Mark S. Snyder, Engineering Manager 130 East Market Street PO Box 15089 York, PA 17405-7089
Type of Facility	Public Water Supply
Consulting Engineer	Mark S. Snyder, P.E. The York Water Company 130 East Market Street PO Box 15089 York, PA 17405-7089

Application Received: 12/19/2014  
 Description of Action The 1,000,000-gallon Loganville Standpipe will be drained and repainted on the interior and exterior. A temporary 3,000-gallon pressurized water tank will be provided to maintain pressure in the Loganville pressure zone while the standpipe is offline.

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

**Permit No. 2418501**, Public Water Supply.  
 Applicant **Borough of Ridgway**  
 Township or Borough Ridgway Borough  
 County **Elk**  
 Responsible Official Josh Quattrone  
 108 Main Street  
 Ridgway, PA 15853

Type of Facility Public Water Supply  
 Consulting Engineer August Maas, P.E.  
 Green-Pedersen, Inc.  
 8 Gibson Street  
 North East, PA 16428

Application Received Date February 5, 2018  
 Description of Action Permit existing facilities.

**Permit No. 3718502**, Public Water Supply.  
 Applicant **Pennsylvania American Water Company**  
 Township or Borough Jackson Township  
 County **Butler**  
 Responsible Official William Lage, P.E.  
 Type of Facility Public Water Supply  
 Consulting Engineer William Lage, P.E.  
 2736 Ellwood Road  
 New Castle, PA 16101  
 Application Received Date February 5, 2018  
 Description of Action Upgrade capacity of Ridge Road Booster Station

**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. 6518502GWR**, Minor Amendment.  
 Applicant **Meadows Mobile Home Park, LLC**  
 6557 Alakoko Drive  
 Diamonhead, MS 39525  
 [Township or Borough] Washington Township  
 Responsible Official Timothy Bunta, Operator  
 Meadows Mobile Home Park, LLC  
 6557 Alakoko Drive  
 Diamonhead, MS 39525

Type of Facility Water system  
 Consulting Engineer Buchart Horn  
 2200 Liberty Avenue  
 Suite 300  
 Pittsburgh, PA 15222

Application Received Date February 8, 2017

Description of Action Demonstration of 4-log treatment of viruses for groundwater sources for Meadows Mobile Home Park.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995  
 PREAMBLE 1**

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

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

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

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

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

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

**319 West Gay Street**, 319 West Gay Street, Borough of West Chester, **Chester County**. Christopher Zeliznak, PG., EnvironSure, Inc., 319 South High Street, 1st Floor, West Chester, PA 19382 on behalf of Chad Weldon, CRW Realty, LP, 319 West Gay Street, West Chester, PA 19382 submitted a Notice of Intent to Remediate. Site soil has been found to be contaminated with leaded and unleaded gasoline compounds. The proposed future use of the property will be a combination of commercial and residential use. The Notice of Intent to Remediate was published in the *Daily Local News* on December 15, 2017.

**Byberry Woods**, 1282 Byberry Road, Bensalem Township, **Bucks County**. Richard Lake, Geo-Technology Associates Inc., 14 Woods Fair Drive, Somerset, NJ 08873 on behalf of Sandra DiNardo, Dauphine Building & Development, L.P., 920 Wayland Circle, Bensalem, PA 19020 submitted a Notice of Intent to Remediate. Chlorinated solvents have been identified in soil and groundwater on the site. The site is planned to be developed for residential use. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on January 12, 2018.

**Eggert Residence**, 545 Hallowell Avenue, Warminster Township, **Bucks County**. Jeremy Boly, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Linda Eggert, 545 Hallowell Avenue, Warminster, PA 18974 submitted a Notice of Intent to Remediate. This NIR states that the site is used for residential uses, where soil was impacted by petroleum. The proposed future use of the property will remain the same. The Notice of Intent to Remediate was published in the *Intelligencer* on December 10, 2017.

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

**Williams Companies-Rattlesnake Hill Facility**, 87 Fuller Road, Auburn Township, **Susquehanna County**. Apex Companies, 20 Valley Stream Parkway, Suite 270, Malvern, PA 19355, on behalf of Williams Companies, 400 IST Center, Horseheads, NY 14845, submitted a Notice of Intent to Remediate. Storage tanks at this former farm property contaminated soil with # 2 heating oil and leaded gasoline. Future use of the site will be non-residential. The Notice of Intent to Remediate was published in the *The Wyoming County Examiner* on January 31, 2018.

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

**Regents Glen**, Copper Beech Drive & Crows Nest Lane, York, PA 17403, Spring Garden Township, **York County**. Advantage Engineers, 435 Independence Av-

enue, Suite C, Mechanicsburg, PA 17055, on behalf of RG Services, 290 Seaks Run Road, Glen Rock, PA 17327, submitted a Notice of Intent to Remediate site soil contaminated with arsenic from use as an orchard. The site will be remediated to the Site Specific Standard. Future use of the site will be a future residential housing development. The Notice of Intent to Remediate was published in *The York Dispatch/York Sunday News* and *York Daily Record* on January 25, 2018.

**4940 York Road**, 4940 York Road, New Oxford, PA 17350, Oxford Township, **Adams County**. Taylor GeoServices, Inc., 38 Bishop Hollow Road, Newtown Square, PA 19073, on behalf of Michael Noble, 373 Barberry Drive, Hanover, PA 17331; Pamela Garrett, 2135 Broadway, Hanover, PA 17331; Michael Noble, 373 Barberry Drive, Hanover, PA 17331; and Ruth Noble, 315 DeGuy Avenue, Hanover, PA 17331, submitted a Notice of Intent to Remediate site soil contaminated with # 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard. Future use of the site is unknown. The Notice of Intent to Remediate was published in *The Evening Sun* on January 30, 2018.

**Cornwall Pump Station/Former Sunoco Quentin Terminal**, 370 Horseshoe Pike, Lebanon, PA 17042, West Cornwall Township, **Lebanon County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of Pipeline Operations, a Series of Evergreen Resources Management Group, LLC, 2 Righter Parkway, Suite 200, Wilmington, DE 19803, and Sunoco Pipeline, LP, Energy Transfer, 100 Green Street, Marcus Hook, PA 19061 submitted a Notice of Intent to Remediate site soil and groundwater contaminated with leaded gasoline. The site will be remediated to the Site Specific Standard. Future use of the site will continue to be used for a pump station, and agricultural and residential purposes. The Notice of Intent to Remediate was published in the *LEB/Daily News* on January 24, 2018.

**VF Outlet Complex—Parcel 9**, 801 Hill Avenue, Wyomissing, PA 19610, Borough of Wyomissing, **Berks County**. Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482, on behalf of Equus Capital Partners, LTD, 3200 Center Square West, 1500 Market Street, Philadelphia, PA 19102, and VF Corporation, VF Outlet, Inc., 801 Hill Avenue, Wyomissing, PA 19610, submitted a Notice of Intent to Remediate site soil contaminated with inorganics. The site will be remediated to the Site Specific Standard. Future use of the site is nonresidential. The Notice of Intent to Remediate was published in the *Reading Eagle* on February 5, 2018.

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

**Kennedy 137 Natural Gas Well Pad**, 4876 North Callahan Road, Wellsboro, Delmar Township, **Tioga County**. SWEPI LP, 150 North Dairy Ashford Road, E1296C, Houston, TX 77079 has submitted a Notice of Intent to Remediate site soil contaminated with produced water. The applicant proposes to remediate the site to meet the Background and Statewide Health Standards. A summary of the Notice of Remediation was published in the *Wellsboro Gazette* on January 11, 2018.

**Cotton Hanlon 595 Natural Gas Well Pad**, 1325 Mountain Ridge Road, Mainsburg, Sullivan Township, **Tioga County**. SWEPI LP, 150 North Dairy Ashford Road, E1296C, Houston, TX 77079 has submitted a Notice of Intent to Remediate site soil contaminated with produced water. The applicant proposes to remediate the

site to meet the Statewide Health Standard. A summary of the Notice of Remediation was published in the *Wellsboro Gazette* on January 11, 2018.

**Lacey Property**, 2790 State Route 642, East Chillisquaque Township, **Northumberland County**. Gary C. Calvert, LLC, P.O. Box 504, Hollidaysburg, PA 16648, on behalf of Kratzer Oil Company, Inc., 150 East Drive, Sunbury, PA 17801, has submitted a Notice of Intent to Remediate site soil contaminated with heating oil. The applicant proposes to remediate the site to meet the Statewide Health Standard.

#### **OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

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

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit Application No. 101720. TC Recycling, LLC**, 120 Hutchman Road, Mars, PA 16046 submitted an application for a new municipal waste transfer facility located in Adams Township, **Butler County**. The proposed transfer station is seeking to transfer up to 800 tons per day of municipal waste, and would like to operating hours are 24 hours/day and 7 days/week. The application was submitted to the Department on August 3, 2017 and was subject to the Local Municipality Involvement Process (LMIP). The LMIP meeting took place on November 8, 2017. The application was found to be administratively complete by the Northwest Regional Office on November 16, 2017.

Comments concerning the application should be directed to Christina S. Wilhelm, Regional Waste Management Program Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335 at 814-332-6848. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

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

**Permit ID No. 101534. Laurel Highlands Landfill**, 260 Laurel Ridge Road, Johnstown, PA 15909. Application for major modification to construct and operate a 4,075,000-gallon aerated leachate pretreatment impoundment at an existing municipal waste landfill in Jackson Township, **Cambria County**. The application was received by the Department on February 1, 2018 and was deemed administratively complete by the Regional Office on February 12, 2018.

### **AIR QUALITY**

#### **PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS**

The Department has developed an “integrated” plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the De-

partment, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

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

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

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

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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**PLAN APPROVALS**


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

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

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

**39-00004C: Mack Trucks, Inc.** (700 Albutis Road, Macungie, PA 18062) for their facility in Lower Macungie Township, **Lehigh County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received a Plan Approval for Mack Trucks, Inc. (700 Albutis Road, Macungie, PA 18062) for their facility in Lower Macungie Township, Lehigh County. This Plan Approval No. 39-00004C will be incorporated into a Title V Permit through an administrative amendment at a later date.

Plan Approval No. 39-00004C is for a production increase from 74 to 130 chassis per day on their “G” line Chassis spray booth and oven (Source ID 108, ID 109). The main emissions from these sources are VOCs. The project net VOC emission increase is 33.31 tons/year. The new sources will be required to comply with 25 Pa. Code § 129.52 surface coating requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the 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. 39-00004C and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

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

*Contact: James A. Beach, New Source Review Chief—Telephone: 484-250-5920.*

**23-0123: AeroAggregates, LLC** (1500 Chester Pike, Eddystone, PA 19022) for the operation of an existing natural gas-fired glass foaming tunnel kiln, an existing natural gas-fired, fluidized bed dryer, and the installation of two (2) new natural gas-fired glass foaming tunnel kilns at an existing foamed glass aggregate production facility in the Borough of Eddystone, **Delaware County**. The potential emissions of NO<sub>x</sub> and VOCs, the facility do not trigger major facility status as a Title V facility. The operation of the glass foaming tunnel kilns and the fluidized bed dryer will not exceed the following site-wide pollutant emission limits: 24.9 tpy nitrogen oxides (NO<sub>x</sub>) and 24.9 tpy volatile organic compounds (VOCs). The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**09-0295A: Airgas USA, LLC** (107 Park Drive, Montgomeryville, PA 18936) for installation and operation of one spray booth for coating compressed gas cylinders located in Montgomeryville Township, **Montgomery County**. The proposed Plan Approval is for a non-Title V facility as the operation will result in Volatile Organic Compounds (VOC) emissions in the amount of 24.9 tons/year or less. It will contain monitoring, record keeping, and performance testing requirements designed to keep the facility operating within the allowable emission limitations and all applicable air quality requirements.

**46-0248A: Pottstown Borough Authority** (1269 Industrial Highway, Pottstown, PA 19464) for the installation of a replacement sewage sludge dryer at its existing municipal wastewater treatment plant. The facility located in Pottstown Borough, **Montgomery County**, and is a non-Title V facility.

The potentials to emit nitrogen oxides and carbon monoxide from the sludge dryer are approximately 5.3 tons/yr and 12.9 tons/yr, respectively. Potential odorous compounds in the exhaust gases of the sludge dryer will be controlled by a new biofilter. The plan approval will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**28-03026B: Gish Logging, Inc.** (4980 Path Valley Road, Fort Loudon, PA 17224) to issue a plan approval to use Roaring Spring Biofuel to the existing 10 MMBtu/hr boiler at facility in Metal Township, **Franklin County**. The project emissions are estimated 11.83 tons of PM<sub>10</sub>, 26.28 tons of CO, 21.46 tons of NO<sub>x</sub>, 13.75 tons of SO<sub>x</sub>, and 0.74 ton of VOC. The Plan Approval will include work practice standards along with monitoring,

recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed modification. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into a State Only Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

### OPERATING PERMITS

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

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

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

**TVOP-65-00028: Lehigh Specialty Melting, Inc.** (107 Gertrude Street, Latrobe, PA 15650-2963), In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a renewal Title V Operating Permit (TVOP-65-00028) to Lehigh Specialty Melting, Inc. ("LSM") to authorize the continued operation of steel making and specialty melting shop at their Latrobe facility located in Latrobe Borough, **Westmoreland County**.

The previously installed sources include one (1) 40-ton electric arc furnace (EAF), four (4) ladle pre-heaters rated at 8.5 MMBtu/hr, six (6) heat treat furnaces rated at 133.24 MMBtu/hr, two (2) heat treat furnaces rated at 17.3 MMBtu/hr, one (1) parts washer, 3-cooling towers, miscellaneous combustion sources, and operations like teeming steel, torch cutting, and billet grinding. Fugitive emissions are controlled by three bag houses. Potential emissions from the facility are estimated to be 85.0 PM<sub>10</sub>, 34.0 tons NO<sub>x</sub>, 2.5 tons VOC, 2.0 tons HAP, and 4.5 tons SO<sub>x</sub>. The facility is limited to 77,894 tons of annual steel production and CO emissions are limited to 243 tpy.

This facility is subject to applicable NSPS requirements of 40 CFR Part 60 and 40 CFR Part 64; New Emission Standards for Hazardous Air Pollutant area source (NESHAP) requirements of 40 CFR Part 63 Subpart YYYYYY, and State regulations per 25 Pa. Code Chapter 121—145. The facility is also subject to monitoring, record keeping, reporting, and work practice and performance testing requirements. The emergency generator is subject to the applicable requirements 40 CFR Part 63 Subpart ZZZZ and hours of operation.

LSM Title V Operating Permit ("TVOP") renewal application, the Department's Air Quality Review Memorandum, and the proposed Air Quality TVOP 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 TVOP 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. 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 (TVOP-65-00028) 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 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).

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

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

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

**67-03055: Vulcan Construction Materials, LLC** (322 N. Baker Road, York, PA 17404) for operation of a Limestone crushing at their York Plant in West Manchester Township, **York County**. The facility potential emissions are estimated 23.80 tons of PM. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

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

**53-00013: C.A. Elliott Lumber Company, Inc.** (PO Box 260, Roulette, PA 16746-0260) to issue a State only operating permit for their facility located in Roulette Township, **Potter County**. The facility is currently operating under State Only Operating Permit 53-00013. The facility's sources include a 4.80 million Btu per hour, wood-fired boiler, a woodworking operation and four lumber kilns. The facility has potential emissions of 10.30 tons per year of nitrogen oxides, 12.62 tons per year of carbon monoxide, 0.53 ton per year of sulfur oxides, 10.44 tons per year of particulate matter and 0.61 ton per year of volatile organic compounds. The boiler is subject to 40 CFR Part 63, Subpart JJJJJ of the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers Area Sources. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

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

**OP17-000053: Bellevue Associates** (200 South Broad Street, Philadelphia, PA 19102) for a hotel in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) natural gas/No. 2 oil fired Superior Steam Boilers each rated at 12.5 MMBtu/hr.

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

Persons wishing to file protest 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.

## 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.*

**30841312 and NPDES No. PA0013790. The Monongalia County Coal Company**, (46226 National Road, St. Clairsville, OH 43950). To revise the permit for the Monongalia County Mine in Wayne and Gilmore Townships, **Greene County** and related NPDES Permit to widen gates in Panels 7W and 6W. No additional discharges. The application was considered administratively complete on February 6, 2018. Application received November 20, 2017.

**30831303 and NPDES No. PA0013511. Cumberland Contura, LLC**, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Whiteley, Center and Jackson Townships, **Greene County** and related NPDES Permit for expansion of the Cumberland Mine operations. Underground Acres Proposed 2,528.8, Subsidence Control Plan Acres Proposed 5,188.7. No additional discharge. The application was considered administratively complete on February 8, 2018. Application received December 15, 2017.

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



**Permit No. 11970201. Maple Coal Company**, 254 Interpower Drive, Colver, PA 15927, permit renewal for reclamation only of a bituminous surface mine in Barr and Blacklick Townships, **Cambria County**, affecting 47.1 acres. Receiving stream: unnamed tributaries to/and Elk Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 24, 2018.

**Permit No. 56100103 and NPDES No. PA0263036, Hoffman Mining Inc.**, 509 15th Street, Windber, PA 15963, commencement, operation and restoration of a bituminous surface & auger mine to change the land use from Woodland to Unmanaged Natural Habitat in Paint Township, **Somerset County**, affecting 129.5 acres. Receiving streams: unnamed tributaries to/and Stonycreek River classified for the following use: Trout Stocked Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 17, 2018.

**Permit No. 56120117 and NPDES No. PA0269182, Wilson Creek Energy, LLC**, P.O. Box 260, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface & auger mine to change the land use to unmanaged natural habitat in Jenner Township, **Somerset County**, affecting 241.6 acres. Receiving streams:

Hoffman Run and unnamed tributaries to Qumeahoning Creek classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is Cambria—Somerset Water Authority. Application received: February 8, 2018.

*Coal Applications Withdrawn*

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

**Permit No. 56140102 and NPDES No. PA0269425, Hoffman Mining Inc.**, 509 15th Street, Windber, PA 15963, commencement, operation and restoration of a bituminous surface & auger mine to change the land use from Woodland to Unmanaged Natural Habitat in Shade Township, **Somerset County**, affecting 141.1 acres. Receiving streams: unnamed tributary to Oven Run to Stonycreek River classified for the following use: cold water fishes. The first downstream potable water supply intake from the point of discharge is at Hooversville, PA on Stonycreek River. Application received: January 17, 2018. Application Withdrawn: February 8, 2018.

*Noncoal Applications Received*

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

Parameter	Table 2		
	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.

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

**Permit No. 52060301C4 and NPDES No. PA0224511. Springbrook Enterprises, Inc.**, (504 Well Road, Hawley, PA 18428), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Blooming Grove Township, **Pike County** affecting 29.6 acres, receiving stream: unnamed tributary to Billings Creek to Shohola Creek, classified for the following use: high quality—cold water fishes. Application received: February 2, 2018.

**Permit No. 52970301C6 and NPDES No. PA0223751. G.F. Edwards, Inc.**, (204 SR 435, Elmhurst Township, PA 18444), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Greene Township, **Pike County** affecting 173.06 acres, receiving stream: Wallenpaupack Creek, classified for the following use: high quality. Application received: February 5, 2018.

**Permit No. 4873SM5C2. Kinsley Construction, Inc.**, (P.O. Box 2886, York, PA 17405), correction of an existing quarry operation to update the permit boundary for a total of 166.09 (adding 17.2 acres) acres, receiving stream: unnamed tributary to Codorus Creek, classified for the following use: warm water fishes. Application received: February 6, 2018.

**MINING ACTIVITY NPDES DRAFT PERMITS**

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

*Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

#### *Effluent Limits for Noncoal Mining Activities*

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Coal NPDES Draft Permits*

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

**NPDES No. PA0236209 (Mining Permit No. 56131301), Wilson Creek Energy, LLC**, (1576 Stoystown Road, Friedens, PA 15541). A new NPDES and mining activity permit for the Keyser Deep Mine in Conemaugh and Jenner Townships, **Somerset County**. Surface Acres Affected 40.1, Underground Acres Affected 3,971.1. Receiving stream: Roaring Run, classified for the following use: CWF. Kiski-Conemaugh River TMDL. The application was considered administratively complete on September 7, 2017. Application received May 10, 2017.

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 001 discharges to: Roaring Run

The proposed effluent limits for Outfall 001 (Lat: 40° 10' 26" Long: 79° 1' 20") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	Report	-
Iron	(mg/l)	-	1.5	3.0	3.8
Total Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Acidity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity Net, Total (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-
pH				9.0	
	(S.U.)	6.0	-	Max	-

Outfall 002 discharges to: Roaring Run

The proposed effluent limits for Outfall 002 (Lat: 40° 10' 22" Long: 79° 1' 51") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	Report	-
Iron	(mg/l)	-	1.5	3.0	3.8
Total Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Sulfate	(mg/l)	-	1,170	2,340	-
Total Dissolved Solids	(mg/l)	-	2,000	4,000	-
Chloride	(mg/l)	-	-	-	Report
Acidity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity, Total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity Net, Total (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-
pH				9.0	
	(S.U.)	6.0	-	Max	-
Osmotic Pressure	(mos/kg)	-	56	112	-
Bromide	(mg/l)	-	-	-	Report

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

**NPDES No. PA0269182 (Mining Permit No. 56120117), Wilson Creek Energy, LLC**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, renewal of an NPDES permit for reclamation only of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 241.6 acres. Receiving stream: Hoffman Run, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: December 15, 2017.

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

The following stormwater outfalls discharge to Hoffman Run:

Outfall Nos.	New Outfall (Y/N)
006	N
007	N

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

Outfalls: (All Weather Conditions) Parameter	30-Day Average	Daily Maximum	Instant. Maximum
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 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

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

**NPDES No. PA0257630 (Mining Permit No. 17110105), RES Coal LLC**, 224 Grange Hall Road, P.O. Box 228, Armagh, PA 15920 renewal of an NPDES permit for bituminous coal surface mining in Girard Township, **Clearfield County** affecting 233.9 acres. Receiving stream(s): Unnamed Tributaries to Bald Hill Run and Bald Hill Run, classified for the following use(s): CWF. West Branch Susquehanna River TMDL. Application received: November 7, 2017.

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.

The following outfalls discharge to Bald Hill Run.

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N
004	N

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	1.9
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)			50.0 (mOsm/k)	

<sup>1</sup> The parameter is applicable at all times.

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0124532 (Mining Permit No. 4275SM14T), New Enterprise Stone and Lime Co., Inc.**, P.O. Box 77 New Enterprise, PA 16664-0077, renewal of an NPDES noncoal permit for surface mining in Warriors Mark and Snyder Townships, **Huntingdon and Blair Counties**, affecting 353 acres. Receiving streams: Logan Spring Run, unnamed tributary to/and Little Juniata River, classified for the following uses: warm water fishes. Little Juniata River between Logan Spring Run and McLain Run is classified for the following use: high quality cold water fishes and Class A Wild Trout Stream. The Little Juniata River receiving stream is included in the Little Juniata River TMDL and is considered a special protection watershed. There are no potable water intakes within 10 miles downstream. Application received: January 25, 2018.

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

The following outfall discharges to Logan Spring Run.

<i>Outfalls: 001 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	19.0	38.0	48.0
Flow	<1.0mgd		
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/and the Little Juniata River.

<i>Outfalls: 002, 003 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	19.0	38.0	48.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			
Alkalinity must exceed acidity at all times.			

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

**NPDES No. PA0280551 (Permit No. 20800302). L. R. Glover** (2188 Strong Road, Waterford, PA 16441) New NPDES permit for a large industrial minerals surface mine in Bloomfield Township, **Crawford County**, affecting 62.0 acres. Receiving streams: Little Federal Run, classified for the following uses: HQ-CWF. TMDL: None. Application received: January 16, 2018.

There will be no discharges from this site.

## 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 Common-

wealth 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.**

**ENVIRONMENTAL ASSESSMENTS**

*Cambria District: Contact Person: Patrick M. Webb, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

**EA 6109-001. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Cranberry Township, Venango County, Pittsburgh ACOE District.**

The applicant proposes to backfill four abandoned dangerous coal highwalls that total 5,500 linear feet in length and vary from 25—50 feet high. It is proposed to drain two non-discharging trapped surface stormwater

runoff areas that are impaired by acid mine drainage (AMD). The on-site adjacent acidic coal mine spoil materials will be regraded to backfill the abandoned dangerous coal highwall areas. The two non-discharging trapped surface stormwater runoff areas that are impaired with AMD total 0.98 acre. There are no associated wetlands on site due to the acidic coal mine spoils, AMD and steep to vertical topography.

(Cranberry Quadrangle 41° 21' 58" N, 79° 19' 55" W).

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

**D05-081EA. Gary McCavitt, Chairman, Wood-Broad Top-Wells Joint Municipal Authority, P.O. Box 7, Wood Township, PA 16694, Broad Top Township, Bedford County, USACOE Baltimore District.**

Project proposes to replace the raw water intake structure and pipe. The project will temporarily impact approximately 0.035 acre of wetland (PEM) and permanently impact a de minimus area of wetland (PEM) equal to 0.001 acre for construction activities. The dam is located across Great Trough Creek (TSF, MF) (Saxton, PA Quadrangle; Latitude: 40.1347, Longitude: -78.1519).

**D06-187EA. Joseph Atkinson, Manager, Global Advanced Metals, 650 County Line Road, P.O. Box 1608, Boyertown, PA 19512-1608, Colebrookdale Township, Berks County, USACOE Philadelphia District.**

Project proposes to abandon the Cabot Mill Dam in place and return its contributory flow to the historic channel to restore approximately 500 feet of stream channel to a free-flowing condition. The project is located across Swamp Creek (TSF, MF) (Sassamansville, PA Quadrangle, Latitude: 40.3476; Longitude: -75.6166).

**D63-122EA. Mr. James Ashton, 166 Valley Road, West Alexander, PA 15376, Donegal Township, Washington County, USACOE Pittsburgh District.**

Project proposes to remove the Ashton South Dam to eliminate a threat to public safety and restore approximately 350 feet of stream channel to a free-flowing condition. The project is located across a tributary to Ralston Creek (HQ-WWF) (West Middletown, PA Quadrangle, Latitude: 40.1536; Longitude: -80.4916).

**ACTIONS**

**THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT**

**FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS**

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains

notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO 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.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0262013 (CAFO)	Kerwin M. King Kerwin King Duck Operation 375 Forest Manor Road Cochranville, PA 19330-9463	Chester County Upper Oxford Township	Unnamed Tributary to East Branch Big Elk Creek 7-K	Y
PA0023256 (Sewage)	Upper Gwynedd Township PO Box 1 West Point, PA 19486-0001	Montgomery County Upper Gwynedd Township	Wissahickon Creek 3-F	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0080322 IW	Greater Lebanon Refuse Authority 1610 Russell Road Lebanon, PA 17046-1425	North Lebanon Township Lebanon County	UNT of Swatara Creek in Watershed(s) 7-D	Y

### 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. WQG02151714**, Sewage, **Kennett Township**, 801 Burrows Run Road, Chadds Ford, PA 19317-9219.

This proposed facility is located in Kennett Township, **Chester County**.

Description of Action/Activity: Construction and operation of a low pressure sewer system.

**WQM Permit No. 1590413**, Sewage, Transfer, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010-3486.

This proposed facility is located in New London Township, **Chester County**.

Description of Action/Activity: Transfer of ownership from Avon Grove School District to Aqua PA WW Inc.

**WQM Permit No. WQG02151714**, Sewage, **Kennett Township**, 801 Burrows Run Road, Chadds Ford, PA 19317-9219.

This proposed facility is located in Kennett Township, **Chester County**.

Description of Action/Activity: Construction and operation of a low pressure sewer system.

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

**WQM Permit No. 5617403**, Sewage, **Paint Borough**, 119 Hoffman Avenue, Windber, PA 15963.

This proposed facility is located in Paint Borough, **Somerset County**.

Description of Proposed Action/Activity: Proposed construction of Paint Borough Sanitary Sewer Rehabilitation Project to rehabilitate existing defective sewers.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

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

**WQM Permit No. WQG01251703**, Sewage, **Julie & Todd Dell**, 10185 Route 98, Edinboro, PA 16412.

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

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

**WQM Permit No. WQG02251701**, Sewage, **North East Township Water & Sewer Authority**, 31 W Main Street, North East, PA 16428-1135.

This proposed facility is located in North East Borough, **Erie County**.

Description of Proposed Action/Activity: West Law Road sewer extension.

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#### V. NPDES Waiver Stormwater Discharges from MS4 Actions

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The following waiver applications have been approved for a 5-year period. The Department is issuing waivers for the MS4s listed below in lieu of NPDES permit coverage.

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

<i>NPDES Waiver No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG136201	North Braddock Borough 600 Anderson Street North Braddock, PA 15104	North Braddock Borough, Allegheny	Unnamed Tributary of Humms Run/WWF
PAG136360	Brownstown Borough Cambria County 350 Habicht Street Johnstown, PA 15906-3131	Brownstown Borough, Cambria	Elk Run/CWF
PAG132280	Banks Township Carbon County 350 N Pine Street Summit Hill, PA 18250-1302	Banks Township, Carbon	Unnamed Tributary to Beaver Creek
PAG132294	East Bangor Borough 204 Bray Street East Bangor, PA 18013-2204	East Bangor Borough, Northampton	Unnamed Tributary 64106 of Martins Creek and Unnamed Tributary 64108 to Martins Creek/TSF, CWF, and MF
PAI132273	Ross Township PO Box 276 Saylorsburg, PA 18353	Ross Township, Monroe	Lake Creek, Aquashicola Creek/HQ-CWF and MF
PAG132204	Weissport Borough 440 Allen Street Weissport, PA 18235	Weissport Borough, Carbon	Lehigh River/TSF and MF

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#### VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD670001 Issued	Goodman North American Partnership Development, LLC 189201 Von Karman Avenue Suite 1170 Irvine, CA 92612	York	Fairview and Newberry Townships	Fishing Creek (TSF, MF)
PAD360020 Issued	Solanco School District 121 South Hess Street Quarryville, PA 17566	Lancaster	Fulton Township	UNT Conowingo Creek (HQ-CWF, MF) and Wetlands

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD110002	Mid-Atlantic Interstate Transmission, LLC 800 Cabin Hill Drive Greensburg, PA 15601	Cambria County	Gallitzin Township	UNT to Clearfield Creek (CWF); UNT to Bradley Run (HQ-CWF); UNT to Bradley Run (CWF)

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

*Lawrence County Conservation District, 430 Court Street, New Castle, PA 16101, 724-652-4512.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD370004	Borough of Ellwood City 525 Lawrence Avenue Ellwood City, PA 16117	Lawrence County	Borough of Ellwood City	Connoquenessing Creek (Slippery Rock Creek) WWF

## **VII. Approvals to Use NPDES and/or Other General Permits**

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

### **List of NPDES and/or Other General Permit Types**

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

#### *General Permit Type—PAG-02*

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Town of Bloomsburg Columbia Cnty	PAC190012	Community Strategies Group Silk Mill Apartments 700 Sawmill Rd Suite 101 Bloomsburg, PA 17815	UNT to Fishing Creek	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102



NOTICES

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Fishing Creek Twp Columbia Cnty	PAC190014	Daniel Keeney Keeney Fill Site 2821 State Route 487 Orangeville, PA 17859	Fishing Creek	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Adams Township	PAC110027	Highland Sewer and Water Authority 120 Tank Drive Johnstown, PA 15904	Little Paint Creek (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Cambria Township	PAC110032	SKJ Land Holding Company, LLC 8 Walter Lane Indiana, PA 15701	UNT to South Branch Blacklick Creek (CWF)	Cambria County Conservation District 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Paint Borough	PAC560013	Paint Borough 119 Hoffman Avenue Windber, PA 15963	Paint Creek (CWF)	Somerset Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Robinson Township Mount Pleasant Township	PAC630033	Pennsylvania Turnpike Commission 700 South Eisenhower Boulevard Harrisburg, PA 17057	Robinson Run (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Canton Township	PAC630067	Running Brooke II Associates, LP 3555 Washington Road McMurray, PA 15317	Chartiers Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
California Borough	PAC630070	California Borough 225 Third Street California, PA 15419	UNT to Pike Run (TSF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Fallowfield Township	PAC630073	Mon Valley Alliance P.O. Box 145 One Twilight Hollow Road Suite 2 Charleroi, PA 15022	UNT to Pigeon Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

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

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Worth Township, Butler County and Plain Grove Township Lawrence County	PAC100003	Love's Travel Stops & Country Stores, Inc. 10601 N. Pennsylvania Avenue Oklahoma City, OK 73120	Slippery Rock Creek CWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270
Springfield Township Mercer County	PAC430022	Borough of Grove City Grove City Airport 123 West Main Street Grove City, PA 16127	Unnamed tributary to Black Run CWF	Mercer County Conservation District 747 Greenville Road Mercer, PA 16137 724-662-2242
Cranberry Township Butler County	PAC100084	TOA Cranberry, L.P. Attn: Mr. David Biddison 201 King of Prussia Road Radnor, PA 19087	UNT to Brush Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270

*General Permit Type—PAG-03*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Hempfield Township Westmoreland County	PAR116138 A-2	Baker Hughes Oilfield Operations LLC 2001 Rankin Rd Houston, TX 77073	Unnamed Tributary to Wilson Run—19-D	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Pittsburgh City Allegheny County	PAG036218	Arrow Material Svcs LLC 2605 Nicholson Road Suite 5200 Sewickley, PA 15143	Chartiers Creek—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Pittsburgh City Allegheny County	PAG036204	Sunoco Partners Market & Terminal LP 1801 Market Street Philadelphia, PA 19103-1628	Allegheny River—18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Jefferson Hills Borough Allegheny County	PAG036215	Durham School Service LP 2601 Navistar Dr. Bldg 5 Lisle, IL 60532	Unnamed Tributary to Peters Creek and Peters Creek—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-4*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Franklin Township Erie County	PAG041225	Julie & Todd Dell 10185 Route 98 Edinboro, PA 16412	Unnamed Tributary of Little Elk Creek—15-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-10**Facility Location:  
Municipality &  
County*

North Beaver  
Township  
Lawrence County

*Permit No.*  
PAG108335

*Applicant Name & Address*  
Kiewit Power Constructors Co.  
3418 Howard Drive  
New Castle, PA 16102

*Receiving  
Water/Use*  
Unnamed Tributary  
of Mahoning  
River—20-B

*Contact Office &  
Phone No.*  
DEP Northwest  
Regional Office  
Clean Water Program  
230 Chestnut Street  
Meadville, PA  
16335-3481  
814.332.6942

*General Permit Type—PAG-12**Facility Location  
Municipality &  
County*

Lower Mahanoy  
Township  
Northumberland  
County

*Permit No.*  
PAG124821

*Applicant Name & Address*  
Just-A-Mere Family Farm LLC  
3746 Mahantongo Creek Road  
Dalmatia, PA 17017-7235

*Receiving  
Water/Use*  
Unnamed Tributary  
to Mahantongo  
Creek—6-C

*Contact Office &  
Phone No.*  
DEP Northcentral  
Regional Office Clean  
Water Program  
208 W Third Street  
Suite 101  
Williamsport, PA  
17701-6448  
570.327.3636

*General Permit Type—PAG-13**Facility Location  
Municipality &  
County*

Cheswick Borough  
Allegheny County

*Permit No.*  
PAG136322

*Applicant Name & Address*  
Cheswick Borough  
Allegheny County  
220 South Atlantic Avenue  
Cheswick, PA 15024-0235

*Receiving  
Water/Use*  
Allegheny  
River—18-A

*Contact Office &  
Phone No.*  
DEP Southwest  
Regional Office  
Clean Water Program  
400 Waterfront Drive  
Pittsburgh, PA  
15222-4745  
412.442.4000

Verona Borough  
Allegheny County

*Permit No.*  
PAG136323

*Applicant Name & Address*  
Verona Borough  
Allegheny County  
736 E Railroad Avenue  
Verona, PA 15147-1165

*Receiving  
Water/Use*  
Allegheny River and  
Plum Creek—18-A

*Contact Office &  
Phone No.*  
DEP Southwest  
Regional Office Clean  
Water Program  
400 Waterfront Drive  
Pittsburgh, PA  
15222-4745  
412.442.4000

Ross Township  
Allegheny County

*Permit No.*  
PAG136221

*Applicant Name & Address*  
Ross Township  
Allegheny County  
1000 Ross Municipal Road  
Pittsburgh, PA 15237-3102

*Receiving  
Water/Use*  
Nelson Run,  
Unnamed Tributary  
to Girtys Run,  
Spruce Run, Harts  
Run, Unnamed  
Tributary to Ohio  
River, Unnamed  
Tributary to Spruce  
Run, Little Pine  
Creek, Unnamed  
Tributary to Little  
Pine Creek,  
Unnamed Tributary  
of Ohio River,  
Unnamed Tributary  
to Nelson Run,  
Girtys Run, and  
McKnight  
Run—20-G and 18-A

*Contact Office &  
Phone No.*  
DEP Southwest  
Regional Office  
Clean Water Program  
400 Waterfront Drive  
Pittsburgh, PA  
15222-4745  
412.442.4000

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bridgeville Borough Allegheny County	PAG136203	Bridgeville Borough Allegheny County 425 Bower Hill Road Bridgeville, PA 15017	Painters Run and McLaughlin Run—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Shaler Township Allegheny County	PAG136146	Shaler Township Allegheny County 300 Wetzel Road Glenshaw, PA 15116	Pine Creek, Unnamed Tributary to Girtys Run, Little Pine Creek, Unnamed Tributary of Girtys Run, Unnamed Tributary to Pine Creek, Unnamed Tributary of Pine Creek, and Girtys Run—18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Lehighton Borough Carbon County	PAG132291	Lehighton Borough One Constitution Avenue P.O. Box 29 Lehighton, PA 18235-0029	Mahoning Creek, UNT 1 to Mahoning Creek, UNT 2 to Mahoning Creek (CWF/MF) and Lehigh River (TSF/MF)	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
Kenhorst Borough Berks County	PAG133515	Kenhorst Borough Berks County 339 S Kenhorst Boulevard Reading, PA 19607-2038	Angelica Creek and Unnamed Tributary to Angelica Creek—3-C	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4800
Hamburg Borough Berks County	PAG133722	Hamburg Borough Berks County 61 North 3rd Street Hamburg, PA 19526	Schuylkill River and Unnamed Tributary to Schuylkill River—3-B	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4800
Amity Township Berks County	PAG133511	Amity Township Berks County 2004 Weavertown Road Douglassville, PA 19518-8971	Unnamed Tributary to Schuylkill River and Manatawny Creek—D	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4800
Robeson Township Berks County	PAG133525	Robeson Township Berks County 8 Boonetown Road Birdsboro, PA 19508-8317	Schuylkill River, Seidel Creek, and Unnamed Tributary to Allegheny Creek—3-C	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4800
Tilden Township Berks County	PAG133744	Tilden Township Berks County 874 Hex Highway Hamburg, PA 19526	Schuylkill River, Unnamed Tributary to Schuylkill River, and Hassler Run— 3-B	DEP Southcentral Regional Office Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717.705.4800

*Facility Location  
Municipality &  
County*

*Permit No.*  
PAG133689

*Applicant Name & Address*  
Dauphin County  
1451 Peters Mountain Road  
Dauphin, PA 17018-9504

*Receiving  
Water/Use*

Spring Creek,  
Unnamed Tributary  
to Susquehanna  
River, Paxton Creek,  
and Unnamed  
Tributary to Manada  
Creek—7-C and 7-D

*Contact Office &  
Phone No.*

DEP Southcentral  
Regional Office Clean  
Water Program  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
717.705.4800

Leesport Borough  
Berks County

PAG133527

Leesport Borough  
Berks County  
PO Box 710  
Leesport, PA 19533-0710

Schuylkill River and  
Unnamed Tributary  
to Schuylkill  
River—3-B

DEP Southcentral  
Regional Office  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
717.705.4800

**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, PO 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.**

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Permit No. 4818501MA**, Public Water Supply.

Applicant **Bethlehem Authority**  
10 East Church Street  
Bethlehem, PA 18018-6005

[Borough or Township] East Allen Township

County **Northampton**

Type of Facility PWS

Consulting Engineer Mr Steven G Lowry, PE  
Steven G Lowry & Associates Inc  
3708 Leyland Dr  
Mechanicsburg, PA 17050-9165

Permit to Construct Issued 2/6/2018

**Permit No. 3390024, Operations Permit**, Public Water Supply.

Applicant **City of Allentown**  
641 S. 10th St., 3rd Floor  
Allentown, PA 18103

[Borough or Township] City of Allentown &  
South Whitehall Township

County **Lehigh**

Type of Facility PWS

Consulting Engineer Mr. P. Matthew Grapes, PE  
Gannett Fleming Inc.  
PO Box 67100  
Harrisburg, PA 17106

Permit to Operate Issued 2/06/2018

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

**Permit No. 2217511, Minor Amendment**, Public Water Supply.

Applicant **SUEZ Water Pennsylvania**

Municipality Susquehanna Township

County **Dauphin**

Responsible Official John D. Hollenbach,  
Vice-President  
4211 East Park Circle  
Harrisburg, PA 17111-0151

Type of Facility The replacement of gas chlorination at the Rockville Raw Water Pump Station with a calcium hypochlorite tablet chlorinator feed system.

Consulting Engineer Daniel Cargnel, P.E.  
Buchart Horn Inc  
3700 Koppers Street  
Baltimore, MD 21227

Permit to Construct 2/6/2018  
Issued

**Operation Permit No. 3817504 MA** issued to: **City of Lebanon Authority (PWS ID No. 7380010)**, Swatara Township, **Lebanon County** on 2/2/2018 for facilities approved under Construction Permit No. 3817504 MA.

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

**Permit No. 0817503MA—Operation—Public Water Supply.**

Applicant **Northeast Bradford School District**  
Township/Borough Orwell Township  
County **Bradford County**  
Responsible Official Mr. William J. Clark  
Northeast Bradford School District  
526 Panther Lane  
Rome, PA 18837  
Type of Facility Public Water Supply  
Consulting Engineer N/A  
Permit Issued February 6, 2018  
Description of Action Authorizes Northeast Bradford School District to stop fluoridation of the water served to the Northeast Bradford Elementary School.

**Permit No. 1717507—Construction—Public Water Supply.**

Applicant **BCI Municipal Authority**  
Township/Borough Gulich Township  
County **Clearfield County**  
Responsible Official Mr. Paul Winslow  
BCI Municipal Authority  
625 Cressview Street Exit  
Irvona, PA 16656  
Type of Facility Public Water  
Supply-Construction  
Consulting Engineer Louis Seidel PE  
Stiffler McGraw & Associates,  
Inc.  
1731 N Juniata St.  
Hollidaysburg, PA 16648  
Permit Issued February 6, 2018  
Description of Action Authorizes development of Well Nos. 1 and 2 as additional sources of supply, including transmission mains and related appurtenances, chemical treatment facilities, including sodium hydroxide for pH adjustment, sodium hypochlorite for disinfection, and blended phosphate for iron and manganese sequestration, 4-log inactivation of viruses via detention piping, and upgrade of the existing high service pump station.

**Permit No. 5317503MA—Construction—Public Water Supply.**

Applicant **Coudersport Borough Municipality**  
Township/Borough Coudersport Township  
County **Potter County**  
Responsible Official Mr. Beverly A. Morris, Manager  
Coudersport Borough Authority  
201 S. West Street  
Coudersport, PA 16915  
Type of Facility Public Water  
Supply-Construction  
Consulting Engineer Patrick J. Ward  
Uni-Tech Consulting Engineers,  
Inc.  
2007 Cato Avenue  
State College, PA 16801  
Permit Issued February 8, 2018  
Description of Action Authorizes installation of a potable bulk water loading station from which customers may withdraw a maximum of 80,000 gallons per day.

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

**Permit No. 3017512, Public Water Supply.**

Applicant **Southwestern Pennsylvania Water Authority**  
PO Box 187  
1442 Jefferson Road  
Jefferson, PA 15344  
[Borough or Township] Cumberland & Monongahela Townships; and Greensboro Borough  
County **Greene**  
Type of Facility Dunkard Valley water system project  
Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Suite 200  
Cheswick, PA 15024  
Permit to Construct Issued February 6, 2018

**Permit No. 0217538, Public Water Supply.**

Applicant **Wilksburg-Penn Joint Water Authority**  
2200 Robinson Boulevard  
Pittsburgh, PA 15221  
[Borough or Township] Penn Hills Township  
County **Allegheny**  
Type of Facility Nadine pump station chemical addition  
Consulting Engineer Hatch Chester  
Gateway View Plaza  
1600 West Carson Street  
Pittsburgh, PA 15219  
Permit to Construct Issued February 9, 2018

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # **5260036**) Dunbar Township, **Fayette County** on February 8, 2018 for the operation of facilities approved under Construction Permit # 2618503.

**Operations Permit** issued to: **East Dunkard Water Authority**, PO Box 241, 2790 South Eighty-Eight Road, Dilliner, PA 15327, (PWSID # **5300012**) Dunkard Township, **Greene County** on January 31, 2018 for the operation of facilities approved under Construction Permit # 3016508.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # **5650032**) Salem Township, **Westmoreland County** on January 29, 2018 for the operation of facilities approved under Construction Permit # 6513509.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # **5260036**) Forward Township, **Allegheny County** on January 29, 2018 for the operation of facilities approved under Construction Permit # 2617506.

**Operations Permit** issued to: **Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672, (PWSID # **5260036**) Forward Township, **Allegheny County** on January 29, 2018 for the operation of facilities approved under Construction Permit # 2617505.

**Permit No. 0217540MA, Minor Amendment.** Public Water Supply.

Applicant	<b>Township of Neville</b> 5050 Grand Avenue Pittsburgh, PA 15225
[Borough or Township]	Neville Township
County	<b>Allegheny</b>
Type of Facility	Robinson Road interconnection
Consulting Engineer	Lennon, Smith, Souleret Engineering, Inc. 846 Fourth Avenue Coraopolis, PA 15108
Permit to Construct Issued	February 8, 2018

**Permit No. 3017512, Minor Amendment.** Public Water Supply.

Applicant	<b>Southwestern Pennsylvania Water Authority</b> PO Box 187 1442 Jefferson Road Jefferson, PA 15344
[Borough or Township]	Cumberland & Monongahela Townships; and Greensboro Borough
County	<b>Greene</b>
Type of Facility	Dunkard Valley water system project
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road Suite 200 Cheswick, PA 15024
Permit to Construct Issued	February 6, 2018

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

**Operation Permit** issued to **Ridgway Borough**, **PWSID No. 640012**, Ridgway Borough, **Elk County**. Permit Number 2417501 issued February 8, 2018 for the operation of previously unpermitted booster stations.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5).**

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Tobyhanna Township	105 Government Center Way Pocono Pines, PA 18350	Monroe

*Plan Description:* The Tobyhanna Township Act 537 Official Sewage Plan Revision, approved by DEP on February 09, 2018, includes the Ownership Transfer of the Tobyhanna Wastewater Treatment Plant (WWTP) and Sewage Collection System from Tobyhanna Township to Aqua Pennsylvania Wastewater Inc. The ownership changes occurred on June 30, 2017. The remainder of the existing PA DEP approved Tobyhanna Township Act 537 Plan remains unchanged.

The Department's review of the Tobyhanna Township Act 537 Official Sewage Plan Revision, dated November 2017, has not identified any significant environmental impacts resulting from the proposal. Any required NPDES Permits or WQM Permits for Ownership Transfer must be obtained in the name of Aqua Pennsylvania Wastewater Inc.

**HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988**

**Notice of Proposed Interim Response Remacor Site, Taylor Township, Lawrence County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P.S. §§ 6020.102—6020.1303), is proposing an interim response at the Remacor Site (Site), Taylor Township, Lawrence County, Pennsylvania. The Site is comprised of 45 acres and is located at 204 Industrial Street, West Pittsburgh, PA 16160 in Taylor Township, Lawrence County, Pennsylvania.

The Site was previously operated and owned by Reactive Metals & Alloys Corporation (RMA), a metal processing company. The Site was previously developed as an industrial complex, containing multiple manufacturing buildings, laboratories, office buildings, processing and storage areas. Taylor Township maintains an office building adjacent to the Site entrance and maintenance sheds along the Beaver River on the west side of the Site. The former manufacturing facility structures on the Site are all in various states of disrepair.

United States Environmental Protection Agency (USEPA) and the Department, through their contractors, conducted investigations of the Site between 2007 and 2015 to characterize and evaluate environmental and building conditions. Site investigations identified soils, wastes, and groundwater impacted with metals, volatile

organic compounds, and radiological contaminants. Additionally, elevated levels of radiological contaminants were found inside and adjacent to several onsite buildings. Contractors were unable to completely characterize radiological contamination within, under, and directly adjacent to certain structures due to the deteriorated and unsafe buildings on Site. Once the issue of the unstable buildings has been resolved, soils and groundwater cleanup will be addressed in a separate remedial response.

The Departments Remedial Action Objectives (RAO) for the Site include: 1) protect the public and environmental receptors from direct contact exposure to radiologically contaminated building materials and physical risks associated with structurally unsound buildings; 2) demolish structurally unsound buildings so that future investigation and remediation of radiologically and chemically contaminated site soils can be completed to protect the public and environmental receptors from site-related hazardous substances; and 3) comply with applicable Federal, State, and local regulations. The objectives are based on the premise that: 1) if the buildings are demolished and properly disposed, the threat of protecting the public from radiologically contaminated building materials is achieved; and 2) if the buildings are demolished and properly disposed, contaminated soils located between and potentially beneath the buildings can be safely assessed and addressed to protect public and ecological receptors from exposure to Site contaminants.

To achieve RAOs, the following alternatives were developed for the Site, including: 1) no action alternative which is required for all alternative comparisons; 2) building demolition and shipment of all demolition debris offsite (Removal); and 3) building demolition and shipment of radiologically contaminated building debris offsite with clean material used onsite (Selective Removal).

Alternative 1: This alternative would involve no further action to reduce threats posed by the Site.

Alternative 2: This alternative would include the demolition, removal and offsite disposal of all demolition wastes including:

- Demolition of all Site buildings, and building slabs will remain in place;
- Offsite disposal of masonry/concrete materials, steel, and radioactive Low Level or High-Level Low Specific Activity (LSA) material to an approved waste processing facility; and
- Regrading, establishment of soil cover, and revegetation of disturbed areas.

Alternative 3: This alternative would include the demolition, removal and offsite disposal of selective Site wastes including:

- Demolition of all Site buildings, and building slabs will remain in place;
- Uncontaminated masonry/concrete materials will be crushed and disposed onsite;
- Offsite disposal of steel and either Low Level or High Level LSA material to an approved waste processing facility; and
- Regrading, establishment of soil cover, and revegetation of disturbed areas.

Each alternative was evaluated with respect to four comparison criteria of: 1) the extent to which each alternative protects the public health and the environment (effectiveness); 2) the extent to which each alternative is feasible, effective, implementable and permanent

(implementability); 3) the relative cost of each alternative (cost); and 4) the extent to which each alternative complies with or otherwise addresses Applicable or Relevant and Appropriate Response (ARARs). These criteria are derived from the remedy evaluation criteria set forth in Section 304(j) of Act 2, and in Section 504(a) of HSCA. A comparative analysis evaluated advantages and disadvantages of each alternative.

Pursuant to Section 505(b) of HSCA, 35 P.S. § 6020.505(b), the Department proposes Alternative 3 as an interim response at the site. Alternative 3 is proposed because it would, in the most cost-effective manner, protect the public and environmental receptors from direct contact with site-related hazardous substances and allow for further Site characterization within and near demolished building footprints.

The response protects the public health and environment; complies with or otherwise addresses all ARARs relating to contaminated demolition materials and disposal, is feasible, implementable, permanent and effective to the maximum extent practicable; and is cost effective. The proposed action addresses the identified immediate threats to human health and the environment.

The proposed interim response is not a final remedial response pursuant to Section 504 of HSCA, and, therefore, is not required to meet the cleanup standards that apply to final remedial responses. The proposed interim response is consistent, however, with any potential future remedial actions and future investigation activities.

This notice is being provided pursuant to Section 506(b) of HSCA. The administrative record, which contains the information that forms the basis and documents the selection of this response, is available for public review and comment. The administrative record is located at the Department's Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, and is available for review Monday through Friday from 8:00 a.m. to 4:00 p.m. Please telephone for an appointment at: 814-332-6648.

The administrative record will be open for comment from February 24, 2018 until May 25, 2018. Persons may submit written comments into the record during this time only. Comments should be sent to Mr. Jacob Moore, Project Manager, at the Department's Northwest Regional Office or by delivering them to the office in person.

The Department will hold a public meeting on March 28, 2018 at 6:00 p.m., to briefly describe the Department's proposed interim response and answer questions from the public. The meeting will be held at the Taylor Township Building, located at 218 Industrial Street in West Pittsburgh, PA 16160. Also, the public will have an opportunity to present oral comments, for inclusion into the administrative record, regarding the proposed interim response, at a public hearing immediately following the public meeting at 7:00 PM. Persons wishing to pre-register to present oral comments at the public hearing can call Mr. Moore at (814) 332-6648.

Persons with a disability who wish to attend the meeting or hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Mr. Moore or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.



**Notice of Prompt Interim Response and  
Public Hearing  
Rose Valley TCE Investigation, Gamble Township,  
Lycoming County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P.S. §§ 6020.101—6020.1305), has initiated a prompt interim response at homes located near Rose Valley Lake in Gamble Township, Lycoming County, PA. This response has been initiated pursuant to Sections 501(a) and 505(b) of the HSCA (35 P.S. §§ 6020.501(a) and 6020-505(b)).

The Rose Valley TCE Investigation Site currently consists of six homes with water supply wells impacted by trichloroethene (TCE) in concentrations of 1 ppb or greater. The homes are geographically located to the north and northeast of Rose Valley Lake on Lake Road, Kibbe Lane, Drifty Lane, and Rose Valley Road, in Gamble Township.

The primary concern in this case is for human health of those residents living in these homes and consuming the drinking water, and/or utilizing it for bathing and cooking purposes. The concentrations of TCE that are present in supply wells approaches or exceeds the Statewide cleanup standards promulgated under the Land Recycling and Environmental Cleanup Standards Act (Act 2).

The objective of this prompt interim response is to provide treatment systems to remove the TCE in the water supplies to these homes to ensure the residents are consuming water with concentrations below the Statewide Health Standards for TCE.

The remediation alternatives at this Site include 1) No action. This alternative would provide no protection for the residents. 2) Requiring the residents to install treatment systems on their own. This alternative would not ensure that the proper treatment systems were being installed, and would create a financial burden for residents who did not cause or contribute to the contamination that is present. 3) Providing treatment systems for the residents utilizing HSCA funding, with ongoing maintenance of the treatment systems being the responsibility of the property owner. This alternative ensures that adequate treatment systems will be installed, and does not require the residents to incur the initial costs of installation.

The preferred remedy is alternative 3, as it allows the Department to work with a contractor to ensure that the treatment systems are adequate for each home, and it does not require the residents to incur the cost of installation. The property owners will be responsible for any ongoing maintenance of the systems following installation.

The prompt interim response has included the decision to initiate alternative 3 and to hire a contractor to conduct installation of the treatment systems for the residents. Meetings between the contractor and home owners were scheduled to determine the best treatment technology for each residence.

This notice is being provided pursuant to Section 506(b) of HSCA. The administrative record which contains the information that forms the basis and documents the selection of this response action is available for public review and comment. The administrative record is located at the DEP Northcentral Regional Office at 208 West Third Street, Williamsport, PA. Call 570-327-3636 to set up a review of the file at this location. The administrative record is also available at the Gamble Township Building,

17 Beech Valley Road, Trout Run, PA. Call 570-998-9483 to make an appointment with Gamble Township to review the file.

The administrative record will be open for comment from February 26, 2018 until May 31, 2018. Person may submit written comments into the record during this time only, by sending them to Cheryl Sinclair at 208 West Third Street, Williamsport, PA 17701, or by delivering them to this office in person. Person may also submit written comments via e-mail to csinclair@pa.gov.

A combined public meeting and hearing will be held by the Department on Monday, March 26, at the Gamble Township Community Hall, 17 Beech Valley Road, Trout Run, PA. The public meeting will begin at 6:00 p.m., when DEP staff will discuss the site contamination and the selected alternative with the public. The public hearing will follow at 7:00 p.m., at which time formal testimony from the public will be accepted for inclusion in the administrative record. Persons wishing to present comments at the hearing should register in advance with Megan Lehman by telephone at 570-327-3659 or by email at meglehman@pa.gov, or onsite prior to the start of the hearing.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Megan Lehman at 570-327-3659 or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995  
PREAMBLE 2**

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**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

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Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**3222-3258 H Street**, 3222 H Street, City of Philadelphia, **Philadelphia County**. Angelo Waters, PE, Urban Engineers, Inc., 530 Walnut Street, Philadelphia, PA 19106 on behalf of Susan Post, Esperanza Health Center, 4417 North 6th Street, Philadelphia, PA 19140 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with PAHs and lead. The report is intended to document remediation of the site to meet the site-specific standard.

**AAA Car Care Center**, 533 West Baltimore Avenue, Clifton Height Borough, **Delaware County**. Jeffery T. Bauer, PG., Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Matthew J. Kelly, SN&JN, LP c/o: Metro Commercial Management, 307 Fellowship Road, Suite 300, Mt Laurel, NJ 08054 submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide health standard.

**St. Laurentius Church**, 1608 East Berk Street, City of Philadelphia **Philadelphia County**. Christopher Orzechowski, PG, Keating Environmental Management Inc., 1 Bacton Hill Road, North Building, Suite 107, Frazer, PA 19355 on behalf of James Bock, The Archdioceses of Philadelphia, 222 North 17th Street, Philadelphia, PA 19103 submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the site-specific standard.

**Eggert Residence**, 5545 Hallowed Avenue, Warminster Township, **Bucks County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Linda Eggert, 545 Hallowewell Avenue, Warminster, PA 18974 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide health standard.

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

**Williams Companies-Rattlesnake Hill Facility**, 87 Fuller Road, Auburn Township, **Susquehanna County**. Apex Companies, 20 Valley Stream Parkway, Suite 270, Malvern, PA 19355, on behalf of Williams Companies, 400 IST Center, Horseheads, NY 14845, submitted a Final Report concerning remediation of site soils contaminated with # 2 heating oil and leaded gasoline. The report is

intended to document remediation of the site to meet non-residential Statewide Health Standards.

**Schuylkill Community Action**, 118 West Main Street, Girardville Borough, **Schuylkill County**. Black-Rock Environmental LLC, PO Box 288, Nazareth, PA 18064, on behalf of Schuylkill Community Action, 225 North Centre Street, Pottsville, PA 17901, submitted a final report concerning remediation of site soils contaminated with gasoline. The report is intended to document remediation of the site to meet residential Statewide Health Standards.

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

**4940 York Road**, 4940 York Road, New Oxford, PA 17350, Oxford Township, **Adams County**. Taylor GeoServices, Inc., 38 Bishop Hollow Road, Newtown Square, PA 19073, on behalf of Michael Noble, 373 Barberry Drive, Hanover, PA 17331; Pamela Garrett, 2135 Broadway, Hanover, PA 17331; Michael Noble, 373 Barberry Drive, Hanover, PA 17331; and Ruth Noble, 315 DeGuy Avenue, Hanover, PA 17331, submitted a Final Report concerning remediation of site soil contaminated with heating oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

**Harry BRA Pad**, 12101 U.S. Route 6, West Burlington Township, **Bradford County**. Leidos, Inc., 6310 Allentown Blvd, Suite 110, Harrisburg, PA 17112, on behalf of Chesapeake Appalachia, LLC, 300 N. 2nd Street, 5th Floor, Harrisburg, PA 17101, has submitted a Final Report concerning remediation of site soil contaminated with produced water. The report is intended to document remediation of the site to meet the Background and Statewide Health Standards.

**COP Tract 231 Pad D**, 130 Tall Man Lane, Snow Shoe Township, **Centre County**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19431, on behalf of Alta Resources, 33 West Third Street, Suite 300, Williamsport, PA 17701, has submitted a Final Report concerning remediation of site soil contaminated with organics. The report is intended to document remediation of the site to meet the Statewide Health Standards.

**Kennedy 137 Natural Gas Well Pad**, 4876 North Callahan Road, Wellsboro, Delmar Township, **Tioga County**. SWEPI LP, 150 North Dairy Ashford Road, E1296C, Houston, TX 77079 has submitted a Final Report concerning site soil contaminated with produced water. The report is intended to document remediation of the site to meet the Background and Statewide Health Standard requirements.

**Cotton Hanlon**, 595 Natural Gas Well Pad, 1325 Mountain Ridge Road, Mainsburg, Sullivan Township, **Tioga County**. SWEPI LP, 150 North Dairy Ashford Road, E1296C, Houston, TX 77079 has submitted a Final Report concerning remediation of site soil contaminated with produced water. The report is intended to document remediation of the site to meet the Statewide Health Standard requirements.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Shacklett Realty L.P. Property**, Cedar Grove Road, Whitemarsh Township, **Montgomery County**. Terance A. O'Reilly, TriState Environmental Management Services, 368 Dunksferry Road, Bensalem, PA 19020 behalf of Michael Richardson, Toll PA XIV, LP, 250 Gibraltar Road, Horsham, PA 19044 submitted a Final Report

concerning the remediation of site soil contaminated with metals. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on January 22, 2018.

**Bruner Residence**, 3434 Little Road, Upper Frederick Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Brian Matarese, State Farm Insurance Company, PA Fire Claims, PO Box 106169, Atlanta, GA 30348-6169 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on December 27, 2017.

**300-302 MacDade Boulevard Property**, 300-302 MacDade Boulevard, Collingdale Borough, **Delaware County**. Richard S. Werner, P.G., Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of David D. Waltz, The Bryn Mawr Trust Company, 801 Lancaster Avenue, Bryn Mawr, PA 19010 submitted a Remedial Investigation/Risk Assessment Report/Cleanup Plan and Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Report was disapproved by the Department on January 24, 2018.

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

**Allegheny Veterinary Hospital**, 110 North Jefferson Street, Mount Union, PA 17066, Mount Union Borough, **Huntingdon County**. McKee Environmental, Inc., 218 Washington Avenue, Bellefonte, PA 16823, on behalf of Allegheny Veterinary Hospital, 110 North Jefferson Street, Mount Union, PA 17066, submitted a Final Report concerning remediation of site soil and groundwater contaminated with leaded gasoline. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on February 9, 2018.

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

**Lucas Trucking Corp.**, I-80 MM 226.5 Diesel Release Cleanup, Valley Township, **Montour County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Lucas Trucking Corp., 9657 N. Route 220 Highway, Jersey Shore, PA 17740, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and motor oil. The report demonstrated attainment of the Statewide Health Standard requirements and was approved by the Department on February 9, 2018.

**Kennedy 137 Natural Gas Well Pad**, 4876 North Callahan Road, Wellsboro, Delmar Township, **Tioga County**. SWEPI LP, 150 North Dairy Ashford Road, E1296C, Houston, TX 77079 has submitted a Final Report concerning site soil contaminated with produced water. The report demonstrated attainment of the Background and Statewide Health Standard requirements and was approved by the Department on January 31, 2018.

**Cotton Hanlon 595 Natural Gas Well Pad**, 1325 Mountain Ridge Road, Mainsburg, Sullivan Township, **Tioga County**. SWEPI LP, 150 North Dairy Ashford Road, E1296C, Houston, TX 77079 has submitted a Final Report concerning remediation of site soil contaminated with produced water. The report demonstrated attain-

ment of the Statewide Health Standard requirements and was approved by the Department on February 2, 2018.

### HAZARDOUS WASTE TRANSPORTER LICENSE

#### Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

*Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.*

#### *Hazardous Waste Transporter License Reissued*

**AERC Acquisitions Corp., dba AERC Recycling Solution**, A Clean Earth Company, 2591 Mitchell Avenue, Allentown, PA 18103. License No. PA-AH 0687. Effective Feb 12, 2018.

**A&D Environmental Services (SC), LLC**, 1741 Calks Ferry Road, Lexington, SC 29073. License No. PA-AH 0743. Effective Feb 12, 2018.

**Environmental Specialists, Inc.**, 1000 Andrews Avenue, Youngstown, OH 44505. License No. PA-AH 0587. Effective Feb 12, 2018.

**Freehold Cartage, Inc.**, PO Box 5010, Freehold, NJ 07728. License No. PA-AH 0067. Effective Feb 12, 2018.

#### *Renewal Applications Received*

**A&D Environmental Services (SC), LLC**, 1741 Calks Ferry Road, Lexington, SC 29073. License No. PA-AH 0743. Effective Feb 08, 2018.

**Environmental Specialists, Inc.**, 1000 Andrews Avenue, Youngstown, OH 44505. License No. PA-AH 0587. Effective Feb 08, 2018.

**Freehold Cartage, Inc.**, PO Box 5010, Freehold, NJ 07728. License No. PA-AH 0067. Effective Feb 08, 2018.

### REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

#### Registration issued Under the Solid Waste Management Act; the Residual Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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

**General Permit Registration No. WMGR025NC001: Pennsylvania State University**, 139J Physical Plant Building, University Park, PA 16802-1118. Registration to operate under General Permit No. WMGR025NC001 for the beneficial use and processing prior to beneficial use of recycle food residuals, leaves, wood chips, manure and small quantities of poultry remains for use as compost to be used as a soil conditioner, soil amendment, fertilizer, mulch, or erosion control. The registration was approved by Northcentral Regional Office on February 10, 2018.

Persons interested in obtaining more information about the general permit application may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**General Permit Registration No. WMGR025NC002: State College Borough Composting Facility**, 110 Hawbaker Industrial Drive, State College, PA 16803. Registration to operate under General Permit No. WMGR025NC002 for the beneficial use of agricultural waste other than mortalities, butcher wastes other than whole carcass, food processing waste, pre-consumer and post-consumer food residual, yard waste, land clearing and grubbing material, untreated wood waste, leaves, virgin paper, mill sludge, and spent mushroom substrate for use as compost to be used as a soil conditioner, soil amendment, fertilizer, mulch, or erosion control. The registration was approved by Northcentral Regional Office on February 10, 2018.

Persons interested in obtaining more information about the general permit application may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**General Permit Registration No. WMGR025NC003. Carell Meat Solutions Corp.**, 1252 State Route 706, Wyalusing, PA 18853. Registration to operate under General Permit No. WMGR025NC003 for the beneficial use of recycled cattle truck bedding with manure, paunch manure, skim fat, wastewater sludge cake, process wastewater solids (manure/grit), rendering filter cake (bone meal fines from screens) for use as compost to be used as a soil conditioner, soil amendment, fertilizer, mulch, or erosion control. The registration was approved by Northcentral Regional Office on February 10, 2018.

Persons interested in obtaining more information about the general permit application may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

**General Permit Registration No. WMGR025NC004: Falcon, LLC**, 1759 East Lime Bluff Road, Muncy, PA 17756-7927. Registration to operate under General Permit No. WMGR025NC004 for the beneficial use of ground and chipped wood from wood pallets, land clearing, grubbing, and excavation operations for use as compost to be used as a soil conditioner, soil amendment, fertilizer, mulch, or erosion control. The registration was approved by Northcentral Regional Office on February 10, 2018.

Persons interested in obtaining more information about the general permit application may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

### REGISTRATION FOR RESIDUAL WASTE GENERAL PERMITS

#### Renewal of a Registration issued under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

*Southcentral Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGR025SC001. Terra-Gro, Inc.**, 2870 Oregon Pike, Lititz, PA 17543 in Manheim Township, **Lancaster County**. The Department of Environmental Protection has issued the renewal of a registration under General Permit WMGR025 to Terra-Gro, Inc. This general permit authorizes the composting and beneficial use of the following categories of source-separated wastes: agricultural waste other than mortalities, butcher waste other than whole carcass, food processing waste, pre-consumer and post-consumer food residuals, yard waste, land clearing and grubbing material, untreated wood waste, gypsum wallboard, paper, cardboard, waxed cardboard, virgin paper mill sludge and spent mushroom substrate. This registration was issued on February 12, 2018.

Persons interested in reviewing the general permit may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

#### **DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS**

**Determination of Applicability for General Permit issued under the Solid Waste Management Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities (25 Pa. Code § 287.611 (relating to authorization for general permit)).**

*Southcentral Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGR019SC003. Boyertown Foundry Company**, 9th Street and Rothermel Drive, New Berlinville, PA 19545 located in Boyertown Borough, **Berks County**. The Department of Environmental Protection has issued a Determination of Applicability under General Permit WMGR019 to Boyertown Foundry Company for the beneficial use of waste foundry sand from ferrous and nonferrous casting foundries; system dust generated by ferrous metal casting foundries; and slag and refractories generated by ferrous metal casting foundries. The foundry wastes may be beneficially used as (a) roadway construction material; (b) a component or ingredient in the manufacturing of concrete or asphalt products; (c) a soil additive or soil substitute; and (d) non-roadway construction material. This Determination of Applicability was issued on February 9, 2018.

Persons interested in reviewing the general permit may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

#### **DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS**

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

*Southcentral Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGR019D009. Unicast Company**, 241 North Washington Street, Boyertown, PA 19512 located in Boyertown Borough, **Berks County**. The Department of Environmental Protection has issued renewal of a Determination of Applicability under General Permit WMGR019 to Unicast Company for the beneficial use of waste foundry sand from ferrous and nonferrous casting foundries; system dust generated by ferrous metal casting foundries; and slag and refractories generated by ferrous metal casting foundries. The foundry wastes may be beneficially used as (a) roadway construction material; (b) a component or ingredient in the manufacturing of concrete or asphalt products; (c) a soil additive or soil substitute; and (d) non-roadway construction material. This Determination of Applicability was issued on February 9, 2018.

Persons interested in reviewing the general permit may contact John Oren, Permits Section Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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

**GP5-58-002A: Regency Marcellus Gas Gathering, LLC** (101 West Third Street, Williamsport, PA 17701) on February 6, 2018 the general operating permit GP5 reissued for the operation of natural gas compressor station at the facility located in Springville Township, **Susquehanna County**.

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

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

**GP1-21-03126: Westrock Box on Demand** (53 Commerce Drive, Mechanicsburg, PA 17050) on February 5, 2018, for an existing natural gas-fired boiler, under GP1, for the packaging manufacturing facility located in Mechanicsburg Borough, **Cumberland County**. The GP1 authorization was renewed due to a change of ownership.

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

*Contact: Alan Binder, P.E., Environmental Engineer Manager—Telephone: 412-442-4168.*

**GP5-30-00186B: CNX Gas Company, LLC** (1000 Consol Energy Drive, Canonsburg, PA 15317) on February 5, 2018, for the continued operation of the existing equipment of at the Deer Lick Compressor Station located in Morris Township, **Greene County**.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

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

**36-05002F: Armstrong Flooring, Inc.** (1067 Dillerville Road, Lancaster, PA 17604) on February 6, 2018, for the modification to emission limits at their flooring plant in the City of Lancaster, **Lancaster County**. The plan approval will revise the 0.001 gr/dscf particulate matter emission limits on Control IDs C902 & C906 to 0.003 gr/dscf. The 0.001 gr/dscf limits were initially established in PA 36-05002E, which was for the installation of a luxury vinyl tile (LVT) line.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

*Contact: James A. Beach, New Source Review Chief—Telephone: 484-250-5920.*

**23-0120: Agilyx Corporation Inc.** (7904 SW Hunziker Street, Tigard, OR 97223) On February 9, 2018 for installation of a new plastics to oil plant in Marcus Hook Borough, **Delaware County**.

**46-0198PL: Blommer Chocolate Co.** (1101 Bloomer Drive, East Greenville, PA 18041) On February 7, 2018 to upgrade the existing bean cleaning processor in Upper Hanover Township, **Montgomery County**.

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

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

**57-00006A: Dwight Lewis Lumber Company** (P.O. Box A, Hillsgrove, PA 18619) on January 31, 2018, to extend the plan approval expiration date to August 6, 2018 to allow continued operation of a 6.04 MMBtu/hr biomass-fired boiler at its facility in Hillsgrove Township, **Sullivan County**.

**41-00088A: Compass Natural Gas Partners LP** (1215 Manor Drive, Suite 302, Mechanicsburg, PA 17055) on February 8, 2018, to extend the authorization for the construction of the compressed natural gas truck terminal at their Compass-Quaker CNG Truck Terminal facility located in Upper Fairfield Township, **Lycoming County** to August 7, 2018. The plan approval has been extended.

**59-00005G: Dominion Transmission, Inc.** (925 White Oaks Blvd., Bridgeport, WV 26330) on February 8, 2018, to extend the authorization for the construction of a 2,370 horsepower, natural-gas fired reciprocating internal combustion compressor engine controlled by a prechambered combustion system, an LE-54C air/fuel ratio controller and an EAS model EN4YE28 oxidation catalyst, for the construction of a 5,810 horsepower (49.98 million Btu per hour heat input), natural-gas fired compressor turbine, controlled by a dry low NO<sub>x</sub> (SoLoNO<sub>x</sub>) combustion

system and a Universal Silencer oxidation catalyst and for the construction of eight 65 kilowatt model C65 NG Low NO<sub>x</sub> Capstone MicroTurbines, at the Sabinsville Station located in Clymer Township, **Tioga County** to August 8, 2018. The plan approval has been extended.

**Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.**

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

*Contact: Thomas McGinley, New Source Review Chief—Telephone: 610-832-6242.*

**23-0120: Agilyx Corporation Inc.** (7904 SW Hunziker Street, Tigard, OR 97223) On February 9, 2018 for installation of a new plastics to oil plant in Marcus Hook Borough, **Delaware County**.

**46-0198PL: Blommer Chocolate Co.** (1101 Bloomer Drive, East Greenville, PA 18041) On February 7, 2018 to upgrade the existing bean cleaning processor in Upper Hanover Township, **Montgomery County**.

**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**09-00059: Saint Mary Medical Center**, (1201 Langhorne Newtown Rd., Langhorne, PA 19047-1295) On February 9, 2018 for the renewal of the State Only (Synthetic Minor) Operating Permit for their general medical and surgical hospital located in Middletown Township, **Bucks County**.

**09-00234: WCR, Inc.** (4080 Blanche Road, Bensalem, PA 19020) On February 9, 2018 for an initial State Only Operating Permit for the non-destructive quality assurance testing of heat exchanger parts using coatings in a spray booth in Bensalem Township, **Bucks County**.

**09-00231: New Age Industries, Inc.** (145 James Way, Southampton, PA 18966) On February 9, 2018, for an initial State Only Operating Permit for cleanup operations using isopropyl alcohol at a manufacturing facility located in Upper Southampton **Bucks County**.

**46-00181: Technetics Group Hatfield** (1600 Industry Rd, Hatfield, PA 19440) On February 9, 2018 for the renewal of a State Only Operating Permit for a poly-tetra-flouro-ethylene (PTFE) etching facility in Hatfield Township, **Montgomery County**.

**15-00053: Chester County Hospital** (701 E Marshal St, West Chester, PA 19380) On February 9, 2018 for the renewal of a State-Only Operating Permit for the hospital located in West Chester Borough, **Chester County**. This issuance also includes an administrative amendment to add a previously issued general plan approval (GP1-15-0105) for a boiler.

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

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

**40-00134: LGS, PA, LLC** (1355 Oak Hill Road, Mountain Top, PA 18707) The Department issued, on 2/1/18, a

State-Only (Synthetic Minor) Operating Permit for operation of an enclosed cargo trailer manufacturing facility located in the Wright Township, **Luzerne County**. 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.

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

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

**04-00687: Swagelok Processing Corp.** (7544 Route 18 N, Koppel, PA 16136) on January 31, 2018, a State Only Operating Permit (SOOP) renewal issued to Swagelok Processing Corp. to authorize the operation of their cold drawn metal products at Big Beaver Borough, **Beaver County**.

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543, Contact: Edward Wiener, Chief, Source Registration at 215-685-9476.*

**OP17-000066: Comcast of Philadelphia II, LLC** (11400 Northeast Avenue, Philadelphia, PA 19116) for the operation of an office and call centre in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) diesel fired Katolight emergency generator rated at 275 kW, one (1) diesel fired Katolight emergency generator rated at 230 kW, and two (2) diesel fired Cummins emergency generators each rated at 1,112 kW.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**46-00021: First Quality Retail Services, LLC** (601 Allendale Road, King of Prussia, PA 19406) On February 6, 2018 for an Administrative Amendment to State Only (Synthetic Minor) Operating Permit No. 46-00021 for its facility located in located in King of Prussia, Upper Merion Township, **Montgomery County**. The Administrative Amendment incorporates a change in responsible official for the facility. These additional changes were made to the amended State Only Operating Permit (a) the sanitary napkin and adult incontinence diaper production equipment and associated filters at the facility (previously exempted from Plan Approval requirements under Requests for Determination No. 4920 and 4921), and (b) certain provisions of 40 CFR Part 63, Subpart ZZZZ, for the engines of the emergency generator sets at the facility (vacated, remanded, or corrected).

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

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

**16-00035: Commodore Corporation** (20898 Paint Blvd., Clarion, PA 16214). The Department on February 6, 2018, issued an administrative amendment to the State Operating Permit to incorporate the change of responsible official and permit contact for the facility located in Paint Township, **Clarion County**.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a).** The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

### Coal Permits Issued

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

**17743702 and NPDES No. PA0215490. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the NPDES permit for the Lady Jane Plant in Huston Township, **Clearfield County** to add two NPDES Outfalls. Receiving Streams: Unnamed Tributaries to Moose Run, classified for the following use: CWF. The application was considered administratively complete on June 11, 2013. Application received: May 21, 2012. NPDES Permit issued: February 6, 2018.

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

**Permit No. 56120102 and NPDES No. PA0263419. Rosebud Mining Co.**, 301 Market Street, Kittanning, PA 16201, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 114.7 acres. Receiving streams: unnamed tributaries to Coal Run and unnamed tributaries to Pickings Run classified for the following uses: cold water fishes and high quality—cold water fishes. The first downstream potable water supply intake from the point of discharge is Lincoln Municipal Authority—intake on North Branch of Quemahoning Creek. Application received: July 27, 2017. Permit issued: February 8, 2018.

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

**Permit No. 54111302T. M & D Anthracite Coal Co.**, (2030 East Center Street, Tremont, PA 17981), transfer of an existing anthracite underground mine operation in Cass Township, **Schuylkill County** affecting 2.1 acres, receiving stream: West Branch Schuylkill River. Application received: August 18, 2016. Transfer issued: February 6, 2018.

**Permit No. PAM117062. M & D Anthracite Coal Co.**, (2030 East Center Street, Tremont, PA 17981), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Underground Mining Permit No. 54111302 in Cass Township, **Schuylkill County**, receiving stream: West Branch Schuylkill River. Application received: August 18, 2016. Permit issued: February 6, 2018.

*Noncoal Permits Issued*

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

**PAM418005-GP104. Harold L. Hamilton Sr.**, 261 Ridge Road, Shippensburg, PA 17257. General NPDES Permit for stormwater discharges associated with mining activities on Non-Coal Permit No. 21920802 located in North Newton Township, **Cumberland County**. Receiving stream: Green Spring Creek classified for the following uses: cold water fishes, Migratory Fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: January 16, 2018. Coverage Approved: February 6, 2018.

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

**PAM618005. Custom Crushing, LTD** (88 Cherry Hill Road, Greenville, PA 16125). General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 43910307 in Perry Township, **Mercer County**. Receiving streams: Unnamed tributary to Little Shenango River. Application received: January 16, 2018. Permit Issued: February 6, 2018.

**PAM617051. Hanas Gravel Company** (300 Conneauttee Road, Waterford, PA 16441). General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 25880305 in LeBoeuf Township, **Erie County**. Receiving streams: French Creek. Application received: November 30, 2017. Permit Issued: February 6, 2018.

**PAM618001. R. Hunter Incorporated** (15428 Sheets Road, Guys Mills, PA 16327). General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 20890304 in Hayfield Township, **Crawford County**. Receiving streams: French Creek. Application received: January 3, 2018. Permit Issued: February 6, 2018.

**PAM618004. R. Hunter Incorporated** (15428 Sheets Road, Guys Mills, PA 16327). General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 20960301 in Woodcock Township, **Crawford County**. Receiving streams: Woodcock Creek. Application received: January 16, 2018. Permit Issued: February 6, 2018.

**PAM618003. R. Hunter Incorporated** (15428 Sheets Road, Guys Mills, PA 16327). General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 20950301 in Bloomfield Township, **Crawford County**. Receiving streams: Unnamed tributary to Bloomfield Run. Application received: January 16, 2018. Permit Issued: February 6, 2018.

**37070302. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Renewal of the existing NPDES permit No. PA0258423 in Slippery Rock Township, **Lawrence County**. Receiving streams: Slippery Rock Creek. Application received: November 21, 2017. Permit Issued: February 6, 2018.

**37170301. Slippery Rock Materials, Inc.** (704 Golf Course Road, Volant, PA 16156) Commencement, operation and restoration of a large industrial minerals mine in Plain Grove Township, **Lawrence County**, affecting 75.0 acres. Receiving streams: Unnamed tributary to Taylor

Run and Taylor Run. This application includes a request for a post-mining land use change from unmanaged natural habitat, forestland, and cropland, to unmanaged natural habitat, wildlife habitat, unmanaged water impoundment and wetlands on the property of Joseph Venasco; and a post-mining land use change from pastureland or land occasionally cut for hay, unmanaged natural habitat, cropland, residential, and forestland, to cropland on the Kurt and Mary Ann Miller property. Application received: July 20, 2017. Permit Issued: February 6, 2018.

**PAM617009. Slippery Rock Materials, Inc.** (704 Golf Course Road, Volant, PA 16156) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 37170301 in Plain Grove Township, **Lawrence County**. Receiving streams: Unnamed tributary to Taylor Run and Taylor Run. Application received: July 20, 2017. Permit Issued: February 6, 2018.

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

**17172801. Swisher Contracting, Inc.** (P.O. Box 1223, Clearfield, PA 16830). Commencement, operation, and restoration of a small noncoal industrial minerals surface mine permit (shale) in Lawrence Township, **Clearfield County** affecting 7.9 acres. Receiving stream(s): Unnamed Tributary to Clearfield Creek classified for the following use(s): CWF. Application received: July 10, 2017. Permit issued: January 26, 2018.

**PAM217011. Swisher Contracting, Inc.** (P.O. Box 1223, Clearfield, PA 16830). General NPDES permit for stormwater discharge associated with mining activities on a Small Noncoal Permit No. 17172801 in Lawrence Township, **Clearfield County**. Receiving stream(s): Unnamed Tributary to Clearfield Creek. Application received: July 10, 2017. Permit issued: January 26, 2018.

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

**Permit No. 39880302A1C10 and NPDES Permit No. PA0225655. Coplay Aggregates, Inc.**, (21 East 10th Street, Northampton, PA 18067), correction to an existing quarry operation to add an NPDES Permit for discharge of treated mine drainage in Whitehall Township, **Lehigh County** affecting 21.49 acres, receiving stream: unnamed tributary to Coplay Creek. Application received: January 26, 2017. Correction issued: February 6, 2018.

**Permit No. 7874SM2A1C10 and NPDES Permit No. PA0612880. New Enterprise Stone & Lime Company, Inc. d/b/a Eastern Industries, Inc.**, (3724 Crescent Court West, Suite 200, Whitehall, PA 18052), renewal of NPDES permit for discharge of treated mine drainage in North Whitehall Township, **Lehigh County**, receiving stream: Coplay Creek. Application received: November 13, 2017. Renewal issued: February 6, 2018.

**Permit No. 7674SM1C17 and NPDES Permit No. PA0613312. Pennsy Supply, Inc.**, (1001 Paxton Street, P.O. Box 3331, Harrisburg, PA 17105), renewal of NPDES permit for discharge of treated mine drainage in South Lebanon & Jackson Townships, **Lebanon County**, receiving stream: Tulpehocken Creek. Application received: October 19, 2017. Renewal issued: February 6, 2018.



## ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

### *Blasting Permits Issued*

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

**41184101. Maine Drilling & Blasting Inc.** (P.O. Box 1140, Gardiner, ME 04345-1140). Blasting for pipeline on the Atlantic Sunrise Pipeline Spread 2A in Penn, Franklin, and Jordan Townships, **Lycoming County** with an expiration date of January 17, 2019. Permit issued: February 8, 2018.

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

**Permit No. 06184001. Kesco, Inc.**, (215 South Main Street, Suite 3, Zelenople, PA 16063), demolition of brick stack in the City of Reading, **Berks County** with an expiration date of March 8, 2018. Permit issued: February 8, 2018.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free

pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E15-891. Eastern Shore Natural Gas Company**, 1110 Forest Avenue, Dover, DE 19904-2788, Londonderry, Penn, New London, and Franklin Townships, **Chester County**, ACOE Philadelphia District.

To construct and maintain the appurtenant structures and approximately 7.3 miles of 24-inch pipeline (Jennersville Loop) beginning at Street Road in Oxford, PA Quadrangle N: 39°51'34.60", W: 75°53'24.37" and ending at Hess Mill Road in West Grove, PA Quadrangle N: 39°46'15.09", W: 75°50'46.74". The proposed project impacts in Chester County include temporary impacts to 890 linear feet of eight unnamed tributaries to East Branch Big Elk Creek (TSF, MF), 85 linear feet of West Branch White Clay Creek (TSF, MF), and 502 linear feet of eight unnamed tributaries to West Branch White Clay Creek (TSF, MF); permanent impacts to 99 linear feet of seven unnamed tributaries to East Branch Big Elk Creek (TSF, MF), 13 linear feet of West Branch White Clay Creek (TSF, MF), and 34 linear feet of seven unnamed tributaries to West Branch White Clay Creek; 4.36 acres of temporary floodway impacts; 0.22 acre of permanent floodway impacts; 1.30 acre of temporary impacts to Palustrine Emergent (PEM), 0.02 acre of temporary impacts Palustrine Scrub-Shrub (PSS), 0.02 acre of temporary impacts to Palustrine Forested (PFO) wetlands; 0.11 acre of permanent impacts to PEM and 0.0001 acre permanent impacts to PFO wetlands. No compensation is being proposed by the applicant for the proposed permanent project impacts in Chester County. The proposed project impacts in this permit application are associated with proposed project of seven buried natural gas pipeline segments totaling approximately 40 miles in Chester County, PA; Cecil County, MD; and New Castle and Sussex Counties, Delaware.

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E09-1012—Pennsylvania Department of Transportation**, 7000 Geerdes Blvd. King of Prussia, PA 19406, Norristown Borough, **Montgomery County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the S.R. 0001, Section RC1 Improvement Project. Specific water obstruction and encroachment are:

1. To place fill associated with road widening and stream relocation within a UNT to Poquessing Creek (WUS-25) (WWF-MF).

2. To conduct grading work within the floodway in the Street Road intersection area for road widening and stream (WUS-25) relocation.

3. To temporarily impact the UNT to Poquessing Creek (WUS-26) for the creation of an on-site stream mitigation site.

The project will permanently impact approximately 515 linear feet (4,248 sq ft) and temporarily impact 788 linear feet (6,079 sq. ft.) of watercourses associated with the road project.

The project extends from the S.R. 2037 (Old Lincoln Highway) signalized intersection north to the area just south of the S.R. 2044 (Rockhill Drive) interchange, and also includes the replacement of the Bristol Road overpass over S.R. 0001. Section RC1 includes the S.R. 0132 (Street Road) and PA Turnpike interchanges in Bensalem Township, Bucks County (Langhorne USGS Quadrangle, Latitude: 40.128071; Longitude: -74.964826).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E34-138: Clubhouse Grill and Restaurant**, 8 Parkside Court, Mifflintown, PA 17059-9012 in Fermanagh Township, **Juniata County**, U.S. Army Corps of Engineers, Baltimore District.

To place and maintain 32 cubic yards of fill in the floodway of Schweyer Run (CWF, MF), permanently impacting seventy square feet of palustrine emergent wetlands for the purpose of expanding an existing parking lot. The project is located 0.25 mile south of the intersection of SR 35 and Butcher Shop Road (Latitude 40°34'57.22", Longitude -77°22'09.16") in Fermanagh Township, Juniata County. Wetland impacts de minimus and replacement is not required. The permit was issued on February 1, 2018.

**E05-391: Hopewell Township**, 2759 Raystown Road, Hopewell, PA 16650 in Hopewell Township, **Bedford County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain 1) an approximately 359-foot long, 8-inch PVC gravity main pipe, through an Exceptional Value (EV) Palustrine Emergent (PEM) wetland and an unnamed tributary to Yellow Creek (HQ-CWF, MF), permanently impacting 0.11 acre and temporarily impacting 0.01 acre of the PEM wetland, and permanently impacting 15-foot of stream and 645-square foot of floodway; 2) an approximately 960-foot long, 3-inch PVC pressure sewer main pipe, through an EV PEM wetland and an unnamed tributary to Yellow Creek (HQ-CWF, MF), permanently impacting 0.07 acre of the PEM wetland, and permanently impacting 15-foot of stream and 210-square foot of floodway; 3) grout and abandon the existing 3-inch pipe underneath an EV PEM Wetland and an unnamed tributary to Yellow Creek (HQ-CWF); and 4) grout and abandon the existing 8-inch pipe underneath an EV PEM wetland and an unnamed tributary to Yellow Creek (HQ-CWF). The project is located at the intersection of SR 0026 and SR 0036 in the village of Cottles Corner; (Latitude: 40°08'18", Longitude: -78°20'26") in Hopewell Township, Bedford County. The permanent wetland impacts are not proposed to lose wetland acreage and no wetland replacement is proposed. The purpose of

the project is to maintain and continue to operate wastewater collection systems in areas of Yellow Creek, Tatesville and Sunnyside. The permit was issued on February 1, 2018.

**E21-458: Plenary Walsh Keystone Partners**, 2000 Cliff Mine Road, Park West Two, 3rd Floor, Pittsburgh, PA 15275 in Cooke Township, **Cumberland County**, U.S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to install and maintain 1) a single-cell precast concrete box culvert with baffles, having a total span of 24.0 feet, an underclearance of 5.0 feet, and inverts depressed 1.0-foot below the streambed crossing over Toms Run (HQ-CWF, MF) and 2) a relocation of a 76.0-foot section of an Unnamed Tributary to Toms Run (HQ-CWF, MF) downstream of the bridge due to interference with a wingwall. The project is located in Pine Grove Furnace State Park on SR 0233 (Centerville Road) in Gardners, PA, Cooke Township, Cumberland County (Latitude 40°02'01", Longitude -77°18'14"). The project will temporarily impact 0.006 acre of Palustrine Shrub (PSS) wetland, 0.032 acre of permanent stream impacts, and 0.02 acre of floodway impacts. The purpose of the project is to improve the roadway to current safety standards. The project will have a detour implemented to maintain traffic control. The permit was issued on February 9, 2018.

**E28-394: Antrim Township Municipal Authority**, PO Box 130, 10655 Antrim Church Road, Greencastle, PA 17225 in Antrim Township, **Franklin County**, U.S. Army Corps of Engineers, Baltimore District.

To remove and replace a Trojan UV4000 in-channel UV system. The existing UV system is located in Zone A of FEMA's Flood Insurance Rate Map 42055C0560E. The project is located at The Antrim Township Municipal Authority Wastewater Treatment Plant (Latitude: 39.746075, Longitude: -77.784711) in Antrim Township, Franklin County. The purpose of the project is to replace an outdated wastewater treatment unit to better provide UV disinfection to maintain compliance within permitted fecal coliform limits. The permit was issued on February 9, 2018.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636.*

**E19-321. Pennsylvania Department of Transportation**, Engineering District 3-0, 715 Jordan Ave, Montoursville, PA 17754. SR 0339 Section 06M Roadway Improvement Project in Mifflin Township, **Columbia County**, ACOE Baltimore District (Berwick, PA Quadrangle; Latitude: 41°02'13"; Longitude -76°16'10").

PA DOT Engineering District 3-0 proposes a 1.9 Mi. Roadway Safety Improvement Project along SR 0339 between Mifflinville and the Luzerne County line. The project will include shoulder improvements, roadway widening, milling and overlaying pavement, four outfalls and two culvert structure rehabilitations.

The first culvert structure rehabilitation will include slip lining with a corrugated metal plate arch and downstream extension to accommodate the roadway widening. The existing single span concrete arch has a span of 15.0 Ft., a skew of 82 degrees, an underclearance of 11.6 Ft., a low chord of 496.69 Ft., a hydraulic opening of 141 Ft<sup>2</sup>, and an out to out width of 43.8 Ft. The proposed slip lined corrugated metal plate arch culvert on reinforced concrete abutments will have a span of 13.7 Ft., a skew of 82 degrees, an underclearance of 11.4 Ft., a low chord of 496.27 Ft., a hydraulic opening of 130 Ft<sup>2</sup> and an

out to out width of 77.0 Ft. The proposed structure will be extended 33.2 Ft. downstream and include streambed paving with concrete baffles through the entire structure. Grouted R-8 Rip Rap will be placed at the outlet to backfill an existing scour hole.

The second culvert structure rehabilitation will be extended upstream to accommodate the roadway widening. The existing corrugated metal pipe culvert has a span of 10.0 Ft., a skew of 85 degrees, an underclearance of 8.5 Ft., a low chord of 485.44 Ft., a hydraulic opening of 71 Ft<sup>2</sup>, and an out to out width of 150.9 Ft. The proposed culvert structure will have a span of 10.0 Ft., a skew of 85 degrees, an underclearance of 9.0 Ft., a low chord of 485.44 Ft., a hydraulic opening of 74 Ft<sup>2</sup> and an out to out width of 178.9 Ft. The proposed structure will be extended 28 Ft. upstream and include streambed paving with concrete baffles through the entire structure. Grouted R-8 Rip Rap will be placed at the outlet to backfill an existing scour hole.

Traffic will be maintained during construction. A sandbag diversion and clean water pump will be utilized to convey the stream during construction. The project will not impact any jurisdictional wetlands. The Unnamed Tributaries to the North Branch of the Susquehanna River are classified as a Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards. This project will not require mitigation. This permit also includes 401 Water Quality Certification.

**E59-536. Pennsylvania Department of Transportation**, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 0006 Section 108, Unnamed Tributary to Charleston Creek Rehabilitation. Charleston Township, **Tioga County**, Baltimore ACOE.

(Antrim, PA Quadrangle N: 41° 44' 36"; W: -77° 15' 49").

PA DOT Engineering District 3-0 proposes to rehabilitate a single span concrete arch on SR 0006 over an Unnamed Tributary to Charleston Creek. The existing structure has a span of 7.4 Ft., a skew of 60 degrees, an underclearance of 8.7 Ft., roadway width of 116 Ft., and a hydraulic opening of 40 Ft<sup>2</sup>. The proposed structure will be slip lined with a steel plate liner on partial height concrete jackets, with stream bed paving and baffles. The streambed paving and concrete baffles will be constructed in accordance with the BD-632M. The proposed structure will have a span of 5.9 Ft., a skew of 60 degrees, an underclearance of 8.3 Ft., roadway width of 132.5 Ft. and a hydraulic opening of 38 Ft<sup>2</sup>. The proposed structure will be extended 13 Ft. upstream to accommodate the roadway side slope, which will result in approximately 37 Ft. of channel realignment. The project will permanently impact 0.01 acre of jurisdictional wetlands. The unnamed tributary to Charleston Creek is classified as a Warm Water Fishery by Title 25, Chapter 93 Water Quality Standards. The wetland impact is considered Deminimis. This project does not require mitigation. This permit also includes 401 Water Quality Certification.

**F41-008 County of Lycoming**, 348 W. Third Street, Williamsport, PA 17701. Floodplain encroachment demolition (10) in **Lycoming County**, US ACOE Baltimore District. Lycoming County is seeking authorization to demolish the existing floodplain encroachments (flood damaged structures) and to re-grade the floodplain at the following locations.

652 Lyons Barr Rd., Montoursville, PA 17754-Montoursville North Quadrangle, Lat.: 41° 16' 35.3" N, Long.: -76° 55' 04.7" W.

336 W. Creek Rd., Cogan Station, PA 17728-Cogan Station Quadrangle, Lat.: 41° 18' 21.7" N, Long.: -77° 04' 09.4" W.

129 Veterans Lane, PA—Trout Run, PA 17771-Cogan Station Quadrangle, Lat.: 41° 21' 47.5" N, Long.: -77° 04' 37.6" W.

2974 Barneys Drive, Montoursville, PA 17754-Montoursville South Quadrangle, Lat.: 41° 14' 58.9" N, Long.: -76° 56' 11.9" W.

326 W. Creek Rd., Cogan Station, PA 17728-Cogan Station Quadrangle, Lat.: 41° 18' 21.2" N, Long.: -77° 03' 38.5" W.

209 N. Market St., Muncy, PA 17756-Muncy Quadrangle, Lat.: 41° 12' 33.3" N, Long.: -76° 47' 16.1" W.

1 Mechanic St., Muncy, PA 17756-Muncy Quadrangle, Lat.: 41° 12' 37" N, Long.: -76° 47' 15.1" W.

308 N. Main St., Muncy, PA 17756-Muncy Quadrangle, Lat.: 41° 12' 38.2" N, Long.: -76° 47' 12.6" W.

3565 Oberlin Ave., Cogan Station, PA 17728-Cogan Station Quadrangle, Lat.: 41° 17' 42.6" N, Long.: -77° 03' 20.1" W.

2986 Barneys Drive, Montoursville, PA 17754-Montoursville South Quadrangle, Lat.: 41° 14' 59.9" N, Long.: -76° 56' 11.2" W.

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

**E04-367, Pennsylvania Department of Transportation**, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Chippewa Township, **Beaver County**, Pittsburgh ACOE District.

Has been given consent to:

Remove the existing 10' single span, 18' wide bridge with a minimum underclearance of 1.17' carrying SR 4012 over an unnamed tributary to South Branch Brady Run (TSF) and having a drainage area of 0.603 square mile; construct and maintain a replacement 27.5 long, 12' wide box culvert with a minimum underclearance of 2.5' and depressed 1'. Place and maintain fill in a de minimis 0.001 acre of PEM wetland. In addition, temporarily impact 0.005 acre of PEM wetland and 59' of stream for the purpose of constructing these encroachments. Mitigation is provided onsite. These encroachments are located approximately 3 miles southwest of Beaver Falls, PA (Midland, PA Quadrangle; Latitude: 40° 43' 27.19"; Longitude: -80° 23' 50.37") in Chippewa Township, Beaver County.

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

**E27-091, Kane Hardwood Division Collins Pine Co.**, 95 Hardwood Drive, Kane, PA 16735. Trust 13 Stream Crossing, in Kingsley Township, **Forest County**, ACOE Pittsburgh District (Mayburg, PA Quadrangle N: 41° 36', 6.464"; W: -79°, 12', 36.505").

Construct and maintain a 40-foot long CMP arched culvert measuring approximately 137 inches wide by 87 inches high in an unnamed tributary to Bobbs Creek (HQ-CWF) as part of the construction of a timber haul road extending northwest of an existing timber road approximately 0.65 mile north of SR 666 (Mayburg, PA Quadrangle N: 41°, 36', 6.464"; W: -79°, 12', 36.505") in Kingsley Township, Forest County.

**E24-269FP Ridgway Borough**, PO Box 149, Ridgway, PA 15853, NFIP Buyout—7 Penn Avenue, Ridgway Borough, **Elk County**, ACOE Pittsburgh District (Ridgway, PA Quadrangle N: 41.42147°; W: -78.73644°).

To remove two existing structures and restore property within the 100-year flood plain of the Clarion River at 7 Penn Avenue, Ridgway, PA. Subject property is a FEMA NFIP buyout.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO 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.

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*Southwest District: Oil & Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222.*

ESCGP-2 # ESX17-125-0035  
Applicant Name Burnett Oil Company, Inc.  
Contact Person Dan Tomley  
Address 375 Southpointe Blvd, Suite 430  
City, State, Zip Canonsburg, PA 15317  
County Fayette County  
Township(s) Springhill Township  
Receiving Stream(s) and Classification(s) UNTs to Rubbles Run (CWF) & Rubbles Run (CWF)

ESCGP-2 # ESX17-125-0035 Renewal  
Applicant Name Range Resources—Appalachia, LLC  
Contact Person Karl Matz  
Address 3000 Town Center Boulevard  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) Mount Pleasant Township  
Receiving Stream(s) and Classification(s) Westland Run (CWF) & UNTs to Westland Run (CWF)

ESCGP-2 # ESX17-129-0006  
Applicant Name Huntley & Huntley Energy Exploration, LLC  
Contact Person Paul Burke  
Address 2660 Monroeville Boulevard  
City, State, Zip Monroeville, PA 15146  
County Westmoreland County  
Township(s) Murrysville Borough & Penn Township

Receiving Stream(s) and Classification(s) Trib 37366 to Lyons Run (TSF), Lyons Run (TSF)

ESCGP-2 # ESX17-125-0036  
Applicant Name EQT Production Company  
Contact Person Todd Klaner  
Address 2400 Ansys Drive, Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) Amwell Township, West Bethlehem Township  
Receiving Stream(s) and Classification(s) UNTs to Tenmile Run (TSF), UNTs to Plum Run (TSF), Little Tenmile Run (TSF), & Tenmile Run (TSF)

ESCGP-2 # ESG17-059-0042  
Applicant Name EQT Gathering, LLC  
Contact Person Brinton Goettel  
Address 625 Liberty Avenue  
City, State, Zip Pittsburgh, PA 15222  
County Greene County  
Township(s) Center Township  
Receiving Stream(s) and Classification(s) UNT to Patterson Creek (HQ-WWF)

ESCGP-2 # ESG17-005-0010  
Applicant Name Pine Run Midstream, LLC  
Contact Person Scott Sweder  
Address 1000 Commerce Drive, Park Place One, Suite 400  
City, State, Zip Pittsburgh, PA 15275  
County Armstrong County  
Township(s) West Franklin Township  
Receiving Stream(s) and Classification(s) UNTs to Buffalo Creek (HQ-TSF)

ESCGP-2 # ESX17-125-0025  
Applicant Name EQT Production Company  
Contact Person Todd Klaner  
Address 2400 Ansys Drive, Suite 200  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) Amwell Township  
Receiving Stream(s) and Classification(s) UNTs to Tenmile Run (TSF), Boyd Run (TSF)

ESCGP-2 # ESX16-125-0058  
Applicant Name Range Resources—Appalachia, LLC  
Contact Person Karl Matz  
Address 3000 Town Center Boulevard  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) Hanover Township  
Receiving Stream(s) and Classification(s) UNTs to Aunt Clara Fork Kings Creek (CWF)

ESCGP-2 # ESX17-125-0027  
Applicant Name MarkWest Liberty Midstream & Resources LLC  
Contact Person Rick Lowry  
Address 4600 J. Barry Court, Suite 500  
City, State, Zip Canonsburg, PA 15317  
County Washington County  
Township(s) Jefferson Township  
Receiving Stream(s) and Classification(s) UNTs to Cross Creek (WWF), Scott Run (WWF), and Harmon Creek (WWF)

ESCGP-2 # ESX12-125-0066 Renewal  
Applicant Name Range Resources—Appalachia, LLC  
Contact Person Karl Matz  
Address 3000 Town Center Boulevard  
City, State, Zip Canonsburg, PA 15317  
County Washington County

Township(s) Smith Township  
Receiving Stream(s) and Classification(s) UNTs to Raccoon Creek (WWF)

ESCGP-2 # ESX13-003-0008 Renewal  
Applicant Name CNX Gas Company, LLC  
Contact Person Erika Whetstone  
Address 1000 Consol Energy Drive  
City, State, Zip Canonsburg, PA 15317  
County Allegheny County

Township(s) Findlay Township  
Receiving Stream(s) and Classification(s) Trib 33656 to Raredon Run (WWF), UNTs to Raredon Run (WWF), Raredon Run (WWF)

ESCGP-2 # ESX17-007-0011  
Applicant Name Penn Energy Resources, LLC  
Contact Person Gregg Stewart  
Address 1000 Commerce Drive, Park Place, Suite 400  
City, State, Zip Pittsburgh, PA 15275  
County Beaver County  
Township(s) Economy Townships  
Receiving Stream(s) and Classification(s) UNTs to North Branch Legionville Run (WWF) & UNT to North Fork Big Sewickley Creek (TSF)

ESCGP-2 # ESX15-125-0069

Applicant Name MarkWest Liberty Midstream & Resources LLC

Contact Person Rick Lowry  
Address 4600 J. Barry Court, Suite 500  
City, State, Zip Canonsburg, PA 15317

County Washington County  
Township(s) Canton Township  
Receiving Stream(s) and Classification(s) UNTs to Georges Run (WWF) & Georges Run (WWF)

ESCGP-2 # ESX11-125-0024 Renewal

Applicant Name Range Resources—Appalachia, LLC

Contact Person Karl Matz  
Address 3000 Town Center Boulevard  
City, State, Zip Canonsburg, PA 15317

County Washington County  
Township(s) Buffalo Township  
Receiving Stream(s) and Classification(s) UNTs to Buffalo Creek (HQ-WWF)

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

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012518001	Range Resources— Appalachia, LLC 3000 Town Center Boulevard Canonsburg, PA 15317	Washington County	Robinson Township	Little Raccoon Run (WWF); UNT to Little Raccoon Run (WWF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335.*

ESCGP-2 # ESG16-053-0001—Buzzard Swamp 1400 Well Site

Applicant SWEPI LP  
Contact Jason Shoemaker  
Address 150 North Dairy Ashford E 1296-E  
City Houston State TX Zip Code 77079  
County Forest Township Jenks  
Receiving Stream(s) and Classification(s) Dry Run (HQ-CWF) & UNT to Log Run (HQ-CWF)

ESCGP-2 # ESG13-019-0019—Renick Well Site Renewal  
Applicant R.E. Gas Development, LLC

Contact Mr. Michael Endler  
Address 600 Cranberry Woods Drive, Suite 250  
City Cranberry Township State PA Zip Code 16066  
County Butler Township(s) Center  
Receiving Stream(s) and Classification(s) UNT to Stony Run (WWF)/Slippery Rock Creek

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

ESCGP-2 # ESX29-115-17-0037  
Applicant Name Carrizo Marcellus LLC

Contact Person Jeremy Manno  
Address 2634 Sleepy Hollow Dr  
City, State, Zip State College, PA 16803  
County Susquehanna  
Township(s) Jessup  
Receiving Stream(s) and Classification(s) UNT to East Branch of Wyalusing Ck (CWF-MF)

ESCGP-2 # ESX29-115-17-0042  
Applicant Name Susquehanna Gathering Co 1 LLC  
Contact Person Paul Corrigan

Address 333 Technology Dr, Suite 255  
City, State, Zip Canonsburg, PA 15317

County Susquehanna  
Township(s) Harford  
Receiving Stream(s) and Classification(s) E Branch Martins Ck (CWF-MF)

ESCGP-2 # ESX29-115-17-0039

Applicant Name SWN Production Co LLC

Contact Person Nicki Atkinson  
Address 917 SR 92 N  
City, State, Zip Tunkhannock, PA 18657

County Susquehanna  
Township(s) Forest Lake  
Receiving Stream(s) and Classification(s) UNT to Middle Branch Wyalusing Ck

ESCGP-2 # ESX29-115-17-0045

Applicant Name Williams Field Services Co LLC

Contact Person Adam Weightman  
Address 310 SR 29 North  
City, State, Zip Tunkhannock, PA 18657-7845

County Susquehanna  
Township(s) Harford  
Receiving Stream(s) and Classification(s) UNTs to Martins Ck (CWF-MF) and E Branch of Martins Ck (CWF-MF)

ESCGP-2 # ESX29-015-18-0003

Applicant Name Chesapeake Appalachia LLC

Contact Person Keri Fieno  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840

County Bradford  
Township(s) Wysox  
Receiving Stream(s) and Classification(s) Fall Run (CWF, MF); Wysox Ck (CWF, MF)  
Secondary—Susquehanna River

ESCGP-2 # ESG29-015-17-0037  
 Applicant Name Chief Oil & Gas LLC  
 Contact Person Jeffrey Deegan  
 Address 1720 Sycamore Rd  
 City, State, Zip Montoursville, PA 17754  
 County Bradford  
 Township(s) Leroy  
 Receiving Stream(s) and Classification(s) McCraney Run  
 (EV, MF)  
 Secondary—Schrader Ck  
 ESCGP-2 # ESG29-081-17-0012(01)  
 Applicant Name Seneca Resources Corp  
 Contact Person Doug Kepler  
 Address 5800 Corporate Dr, Suite 300

City, State, Zip Pittsburgh, PA 15237  
 County Lycoming  
 Township(s) Lewis  
 Receiving Stream(s) and Classification(s) Lycoming Ck  
 (EV)  
 Secondary—W Branch Susquehanna River (WWF)  
 ESCGP-2 # ESX12-113-0041(01)  
 Applicant Name Chief Oil & Gas LLC  
 Contact Person Jeffrey Deegan  
 Address 1720 Sycamore Rd  
 City, State, Zip Montoursville, PA 17754  
 County Sullivan  
 Township(s) Elkland  
 Receiving Stream(s) and Classification(s) Elk Creek (EV)

**STORAGE TANKS  
 SITE-SPECIFIC INSTALLATION PERMITS**

**The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P.S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.**

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
18-51-030	Philadelphia Energy Solutions Refining and Marketing LLC 3144 Passyunk Avenue Philadelphia, PA 19145-5299 Attn: Mark O. Brandon	Philadelphia	City of Philadelphia	1 AST storing distillate	5,758,200 gallons

**SPECIAL NOTICES**

**PUBLIC NOTICE OF FINAL STATE WATER QUALITY CERTIFICATION FOR FERC PIPELINE PROJECT**

**Water Quality Certification Required by Section 401 of the Clean Water Act for the Eastern Panhandle Expansion Project; Columbia Gas Transmission, LLC; FERC Docket No. CP17-80; PADEP File No. WQ03-002**

*Southcentral Region: Waterways and Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

Certification Request initiated by **Columbia Gas Transmission, LLC** (“Columbia”), a TransCanada company, 700 Louisiana Street, Houston, Texas, 77022, Eastern Panhandle Expansion Project in Bethel Township, **Fulton County** (Hancock, USGS Quadrangle, Lat: 39° 43’ 23”; Long: -78° 12’ 23”), U.S. Army Corps of Engineers Baltimore District.

**WQ03-002:** On March 15, 2017, **Columbia Gas Transmission, LLC** filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Eastern Panhandle Expansion Project (FERC Docket No. CP-17-80).

On June 27, 2017, Columbia requested a state water quality certification from the Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Eastern Panhandle Expansion Project will protect water qual-

ity in Pennsylvania through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

The proposed overall project consists of the installation of approximately 3.37 miles of new greenfield 8.0-inch diameter natural gas pipeline, 0.05 mile of which is in Pennsylvania. The proposed project will tie into the existing Columbia 1804 and 10240 pipelines in Bethel Township, Fulton County, PA. In Pennsylvania, the project also includes new main line valves and tie-in assemblies (including pig launchers and receivers) at the main-line interconnections, one temporary and one permanent access road. The pipeline does not propose to cross any streams or wetlands in Pennsylvania. One existing stream crossing is proposed to be replaced for site access. The pipeline is being proposed to provide 47.5 Dekatherms per day of firm transportation capacity to markets in West Virginia through Mountaineer Gas Company’s gathering system.

The proposed Eastern Panhandle Expansion Project will require approximately 2.5 acres of earth disturbance in Pennsylvania, permanent impacts to 9 linear feet and temporary impacts to 32 linear feet of a UNT to Little Tonoloway Creek (WWF, MF); and 0.05 acre of temporary impacts to floodway, 0.015 acre of permanent impacts to floodway. No wetland impacts are anticipated with the portion of this project in Pennsylvania.

The Department published notice of its proposed State water quality certification in the *Pennsylvania Bulletin* on August 26, 2017, (Vol 47, No. 34 Pa.B.). No comments were received.

On February 12, 2018, the Department issued Section 401 Water Quality Certification the Department to Co-

lumbia Gas Transmission, LLC for the Eastern Panhandle Expansion Project. The Department certifies to Columbia Gas Transmission, LLC that the construction, operation and maintenance of the Project will not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93, provided Columbia Gas Transmission, LLC complies with the permitting programs, criteria and conditions established pursuant to State law and as part of the Water Quality Certification as follows:

1. *Discharge Permit*—Columbia Gas Transmission LLC shall obtain and comply with a Department National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the Northeast Supply Enhancement Project pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001) and all applicable implementing regulations (25 Pa. Code Chapter 92a) if such discharges are proposed.

2. *Erosion and Sediment Control Permit*—Columbia Gas Transmission LLC shall obtain and comply with the Department's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17), and all applicable implementing regulations (25 Pa. Code Chapter 102) if earth disturbance activities are equal to or exceeds 5.0 acres.

3. *Erosion and Sediment Control Plan*—Columbia Gas Transmission LLC shall implement their written Erosion and Sediment Control Plan and best management practices (BMP's) that are consistent with the requirements identified in 25 Pa. Code Chapter 102 to minimize the potential for accelerated erosion and sedimentation from the project and to protect, maintain, reclaim and restore water quality and the existing and designated uses of waters of the Commonwealth and comply with all applicable implementing regulations (25 Pa. Code Chapter 102) pursuant to Pennsylvania's Clean Streams Law.

4. *Water Obstruction and Encroachment Permits*—Columbia Gas Transmission LLC shall comply with all terms and conditions of Water Obstruction and Encroachment General Permit GP-11-29-17-101 and shall obtain and comply with any other Department Chapter 105 Water Obstruction and Encroachment Permits that become necessary for the construction, operation and maintenance of all water obstructions and encroachments associated with the Eastern Panhandle Expansion Project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601) and all applicable implementing regulations (25 Pa. Code Chapter 105).

5. *Water Quality Monitoring*—The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Columbia Gas Transmission LLC.

6. *Operation*—Columbia Gas Transmission LLC shall at all times properly operate and maintain all Eastern Panhandle Expansion Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance proce-

dures, and the operation of backup or auxiliary facilities or similar systems installed by Columbia Gas Transmission LLC.

7. *Incidents Causing or Threatening Pollution*—In compliance with 25 Pa. Code Chapter 91.33, in the event of a spill or discharge of a polluting substance that may endanger downstream users of waters of the Commonwealth or would otherwise result in pollution or create the danger of pollution to waters of the Commonwealth, Columbia Gas Transmission LLC shall contact the Department immediately by telephone, immediately implement their Spill Prevention, Control, and Countermeasure Plan for Construction Activities, and take other steps or measures to abate the polluting discharge or danger thereof to waters of the Commonwealth and users of waters of the Commonwealth. Columbia shall otherwise fully comply with 25 Pa. Code Chapter 91.33. In the event of such spills or discharges, Columbia Gas Transmission LLC shall contact the Department using the 24 hour Emergency Response hotline (866) 825-0208.

8. *Inspection*—The Eastern Panhandle Expansion Project, including all relevant records, are subject to inspection at reasonable hours and intervals by an authorized representative of the Department to determine compliance with this State Water Quality Certification, including all required State water quality permits and State water quality standards. A copy of this certification shall be available for inspection by the Department, or an authorized representative thereof, during such inspections of the Eastern Panhandle Expansion Project.

9. *Transfer of Projects*—If Columbia Gas Transmission LLC intends to transfer any legal or equitable interest in the Eastern Panhandle Expansion Project which is affected by this State Water Quality Certification, Columbia Gas Transmission LLC shall serve a copy of this certification upon the prospective transferee of the legal and equitable interest at least 30 days prior to the contemplated transfer and shall simultaneously inform the Department Regional Office of such intent. Notice to the Department shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of certification responsibility, coverage, and liability between them.

10. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to the Department of Environmental Protection, Southcentral Regional Office, Program Manager, Waterways and Wetlands, 909 Elmerton Avenue, Harrisburg, PA 17110.

11. *Reservation of Rights*—The Department may suspend or revoke this State Water Quality Certification if it determines that Columbia Gas Transmission LLC has not complied with the terms and conditions of this certification. The Department may require additional measures to achieve compliance with applicable law, subject to Columbia Gas Transmission LLC's applicable procedural and substantive rights.

12. *Other Laws*—Nothing in this State Water Quality Certification shall be construed to preclude the institution of any legal action or relieve Columbia Gas Transmission LLC from any responsibilities, liabilities, or penalties established pursuant to any applicable Federal or State law or regulation.

13. *Severability*—The provisions of this State Water Quality Certification are severable and should any provision of this certification be declared invalid or unenforceable, the remainder of the certification shall not be affected thereby.

Any person aggrieved by this action may file a petition for review pursuant to Section 19(d) of the Natural Gas Act, 15 U.S.C.A. § 717r(d), with the Office of the Clerk, United States Court of Appeals for the Third Circuit, 21400 U.S. Courthouse, 601 Market Street, Philadelphia, PA 19106-1790 within 30 days of publication of this notice, or within 30 days of receipt of written notice of this action, whichever occurs first. Important legal rights are at stake, so you should show this document to a lawyer promptly.

[Pa.B. Doc. No. 18-293. Filed for public inspection February 23, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Availability of Revised Instructions and Form for Chapter 105 Water Obstruction and Encroachment General Permit Registrations

*Description:* Effective March 26, 2018, the Department of Environmental Protection (Department) will require the use of the new General Permit Registration Form for Chapter 105 Water Obstruction and Encroachment Permits. This information is intended to clarify the application process for a Water Obstruction and Encroachment General Permit registration in accordance with 25 Pa. Code Chapter 105 (relating to dam safety and waterway management). The revised General Permit Registration Form and instructions can be accessed through the Department's e-Library web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us) (select "Permit and Authorization Packages," then "Waterways Engineering and Wetlands" then "Water Obstruction and Encroachment and Wetlands" and "General Permits").

These revisions do not change the substantive requirements to qualify for a Federal or State authorization under the Pennsylvania State Programmatic General Permit-5 (PASPGP-5) or any Chapter 105 General Permit. In general, the changes to the forms streamline and clarify the information that is required to obtain coverage under a Chapter 105 Water Obstruction and Encroachment General Permit. The General Permit Registration Form (3150-PM-BWEW-0500) has been refined and reformatted to eliminate redundancies and unnecessary information required for the submission to be complete. The General Permit Instructions (3150-PM-BWEW-0500) have also been simplified to better explain the General Permit registration requirements. The Fee Calculation Worksheet (3150-PM-BWEW-0553) is no longer required to be submitted for registration completeness, but can continue to be used as a reference to assist the applicant in determining the correct permit fees. The Reporting Criteria Checklist (3150-PM-BWEW-0051) is no longer required to be submitted by the permit registrant or reviewed by the Department. The checklist will continue to serve as a useful tool. The Aquatic Resource Impact Table (3150-PM-BWEW-0557) has been condensed by removing references to Federal impact data based on discussions with the United States Army Corps of Engineers. This new format should expedite the Department reviews to determine if any impact area triggers a review by the United States Army Corps of Engineers for the Federal authorization. The Bog Turtle Screening Form (3150-PM-BWEW-0550) will no longer be required because bog turtle habitat

information is now available when a Pennsylvania Natural Diversity Inventory receipt is obtained.

The Department will be hosting a webinar on these new forms on March 6, 2018. Interested persons may register at <https://copa.webex.com/copa/onstage/g.php?MTID=ea1075e1c0c4fa052c3f49e7d4a3ad1ea>.

*Contact:* Questions regarding this new General Permit registration process should be directed to Sidney Freyermuth, Chief, Water Obstruction and Encroachments, Bureau of Waterways Engineering and Wetlands at (717) 772-5977 or [sfreyermut@pa.gov](mailto:sfreyermut@pa.gov).

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 18-294. Filed for public inspection February 23, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Bid Opportunity

**OOGM 17-3, Cleaning Out and Plugging Two Abandoned Oil and Gas Wells, Concord Township, Jefferson County, and Butler Township, Butler County.** The principal items of work and approximate quantities include: clean-out and plug two abandoned oil and gas wells, estimated to be 1,600 feet and 2,000 feet in depth, to Department of Environmental Protection (Department) specifications; prepare and restore well sites; and mobilize and demobilize plugging equipment.

This bid issues on March 2, 2018, and bids will be opened on April 5, 2018, at 2 p.m. Bid documents may be downloaded for free beginning on the issue date from the Department by going to [www.BidExpress.com](http://www.BidExpress.com). A prebid conference is scheduled for March 6, 2018, at 10 a.m. at the 3 C's Pizza, 1252 West Sunbury Road, West Sunbury, PA 16061. Contact the Construction Contracts Section at (717) 787-7820 for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 18-295. Filed for public inspection February 23, 2018, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Bid Opportunity

**OSM 10(7136)101.1, Abandoned Mine Reclamation Project, Little Bear Creek East, Allegheny Township, Butler County.** The principal items of work and approximate quantities include: mobilization and demobilization, 1 L.S.; channel excavation, 750 cubic yards; erosion matting, 2,110 square yards; dewatering impoundment, 1 L.S.; grading, 24,180 cubic yards; and seeding, 4.5 acres.

This bid issues on February 23, 2018, and bids will be opened on March 22, 2018, 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](http://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 for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 18-296. Filed for public inspection February 23, 2018, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facility (ASF) has filed a request for exception under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following request for exception relates to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory surgical facilities).

<i>Facility Name</i>	<i>Regulation</i>
PGC Endoscopy Center for Excellence, LLC	28 Pa. Code § 551.52 (relating to ASF responsibilities)

The previously listed request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov). Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, or for speech and/or hearing impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 18-297. Filed for public inspection February 23, 2018, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee Public Meetings

The Statewide HIV Planning Group, established by the Department of Health (Department) under sections 301(a) and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247b), will hold a public meeting on Wednesday, March 14, 2018, and Thursday, March 15, 2018, from 9 a.m. to 4 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

Jurisdictional HIV prevention planning is a required activity of the Department's Centers for Disease Control and Prevention grant for Comprehensive HIV Prevention Programs for Health Departments. Additionally, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub.L. No. 111-87), previously known as the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C.A. §§ 300ff-21—300ff-38), requires that the Department engage in a public advisory planning process in developing a comprehensive plan. The purpose of these meetings is to conduct an integrated prevention and care HIV planning process by which the Department works in partnership with the community and stakeholders to enhance access to HIV prevention, care and treatment services.

For additional information, or persons with a disability who wish to attend the meeting who require an auxiliary aid, service or other accommodation to do so should

contact Cynthia Findley, Bureau Director, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

The Department reserves the right to cancel this meeting without prior notice.

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 18-298. Filed for public inspection February 23, 2018, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction):

William Hood Dunwoody Care Center  
3500 West Chester Pike  
Newtown Square, PA 19073  
FAC ID # 041602

Calvary Fellowship Homes, Inc.  
502 Elizabeth Drive  
Lancaster, PA 17601  
FAC ID # 030102

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 201.22(e) (relating to prevention, control and surveillance of tuberculosis (TB)):

Phoebe Berks Health Care Center, Inc.  
1 Heidelberg Drive  
Wernersville, PA 19565  
FAC ID # 167802

Phoebe Richland Health Care Center  
108 South Main Street  
Richlandtown, PA 18955  
FAC ID # 260302

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the previously listed address.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 18-299. Filed for public inspection February 23, 2018, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Nursing Home Patient Safety Trust Fund Surcharge Assessment Procedure

On March 20, 2002, the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P.S. §§ 1303.101—1303.910) was enacted. Among other provisions, the MCARE Act established the Patient Safety Authority (Authority) to collect, analyze and evaluate data regarding reports of serious events and incidents occurring in certain medical facilities and to make recommendations to those facilities regarding changes, trends and improvements in health care practices and procedures for the purpose of reducing the number and severity of serious events and incidents.

Section 305(a) of the MCARE Act (40 P.S. § 1303.305(a)) authorizes the establishment of a Patient Safety Trust Fund (Fund) for the operations of the Authority. Section 305(c) of the MCARE Act states that beginning July 1, 2002, and for every fiscal year thereaf-

ter, each medical facility covered by the MCARE Act shall pay the Department of Health (Department) a surcharge on its licensing fee as necessary to provide sufficient revenues for the Authority to operate. Section 305(c) of the MCARE Act also states that the total assessment amount for Fiscal Year (FY) 2002-2003 shall not exceed \$5 million and that the Department shall transfer the total assessment amount to the Fund within 30 days of receipt. Section 305(d) of the MCARE Act provides that for each succeeding calendar year, the Department shall determine and assess each medical facility a proportionate share of the Authority's budget. The base amount of \$5 million provided for in FY 2002-2003 shall be increased no more than the Consumer Price Index in each succeeding fiscal year.

Initially, the surcharge was assessed on ambulatory surgical facilities (ASF), birth centers and hospitals. Subsequently, the MCARE Act was amended and abortion facilities were also required to pay the surcharge.

With the cooperation of hospitals, birthing centers, abortion facilities and ASFs in this Commonwealth, the surcharge has been implemented and has provided resources for the implementation of the web-based Pennsylvania Patient Safety Reporting System and the operation of the Authority.

This notice sets forth the procedure that the Department will follow in assessing and collecting the surcharge for FY 2017-2018. The Authority FY 2017-2018 surcharge assessment is \$6.86 million. The MCARE Act states that the surcharge shall be collected from medical facilities, which are defined as ASFs, birth centers and hospitals licensed under either the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b) or Article X of the Human Services Code (62 P.S. §§ 1001—1088). Also included, as of May 1, 2006, are abortion facilities which are defined in 18 Pa.C.S. § 3203 (relating to definitions). Nursing homes, which are assessed under sections 401—411 of the MCARE Act (40 P.S. §§ 1303.401—1303.411), receive a separate assessment notification.

To assess the surcharge in an equitable manner, the Department continues to use a common denominator in these facilities. For ASFs, birth centers and abortion facilities, the Department has chosen the number of operating and procedure rooms. For hospitals, the Department has chosen the number of beds contained on the license of each hospital, whether by the Department (general and special acute care hospitals) or the Department of Human Services (privately owned psychiatric hospitals). It was also necessary to pick a point in time to make this assessment; the Department has chosen December 31, 2017.

The number of operating/procedure rooms (for ASFs, birth centers and abortion facilities) and the number of licensed beds (for hospitals) was totaled and that number was divided into \$6.68 million to arrive at a charge per unit for the assessment. The total number of units (operating rooms, procedure rooms and licensed beds) is 41,989. Dividing this number into \$6.68 million results in a per unit assessment for each installment of approximately \$163.38. The assessment is payable by May 31, 2018.

To obtain a copy of the assessment for all facilities, send an e-mail to paexcept@pa.gov and request the FY 2017-2018 MCARE surcharge assessment lists.

Each facility will receive notification from the Department setting forth the amount due, date due and the name and address to which the payment should be sent.

Payment will be due within 60 days. The MCARE Act authorizes the Department to assess an administrative penalty of \$1,000 per day on facilities who fail to pay the surcharge by the due date.

If a facility has any questions concerning this notice, a representative from that facility should contact Garrison E. Gladfelter, Jr., Chief, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, 825 Forster Street, Harrisburg, PA 17120, (717) 783-8980.

Persons with a disability who require an alternative format of this document (for example, large print, audio-tape or Braille) should contact Garrison E. Gladfelter, Jr., at the previously listed address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 18-300. Filed for public inspection February 23, 2018, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Nursing Home Patient Safety Trust Fund Surcharge for Fiscal Year 2017-2018 as Provided for under the Medical Care Availability and Reduction of Error (MCARE) Act

Sections 401—411 of the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P.S. §§ 1303.401—1303.411) require nursing homes to electronically report health care-associated infection (HAI) data to the Department of Health (Department) and the Patient Safety Authority (Authority). Mandatory reporting of nursing home HAIs was implemented in June 2009.

Section 409 of the MCARE Act states that every fiscal year, beginning July 1, 2008, each nursing home shall pay the Department a surcharge on its licensing fee to provide sufficient revenues for the Authority to perform its responsibilities related to the MCARE Act. The base amount of \$1 million for Fiscal Year (FY) 2008-2009 has the potential to be increased no more than the Consumer Price Index in each succeeding fiscal year.

The FY 2016-2017 surcharge was \$1.11 million. The Authority has recommended that the FY 2017-2018 surcharge assessment total \$1.14 million.

To assess the surcharge in an equitable manner, the number of licensed nursing home beds as of December 31, 2017, was totaled and that amount was divided into \$1.14 million. The total number of licensed beds is 86,680. This equates to a surcharge of \$13.15 per bed.

To obtain a copy of the assessment for all facilities, send an e-mail to [paexcept@pa.gov](mailto:paexcept@pa.gov) and request the FY 2017-2018 MCARE surcharge assessment list for nursing care facilities. Each facility will receive notification from the Department setting forth the amount due, date due, and the name and address to which the payment should be sent. Payment will be due within 60 days. The MCARE Act authorizes the Department to assess an administrative penalty of \$1,000 per day on facilities who fail to pay the surcharge by the due date.

If a nursing care facility has any questions concerning this notice, a representative from that facility should

contact Susan Williamson, Director, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, 825 Forster Street, Harrisburg, PA 17120, (717) 787-1816.

Persons with a disability who require an alternative format of this document (for example, large print, audio-tape or Braille) should contact Susan Williamson at the previously listed address or telephone number, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 18-301. Filed for public inspection February 23, 2018, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Temporary Scheduling of Substance; Fentanyl-Related Substances as a Schedule I Controlled Substance

The Acting Secretary of Health (Acting Secretary) of the Department of Health (Department) is issuing this notice of intent to issue a final notice to temporarily schedule fentanyl-related substances that are not currently listed in any schedule of The Controlled Substance, Drug, Device and Cosmetic Act (act) (35 P.S. §§ 780-101—780-144). This temporary final notice will place these substances in schedule I under the act. The Acting Secretary is taking this action because the scheduling of fentanyl-related substances in this Commonwealth on a temporary basis is necessary to avoid an imminent hazard to public safety.

At the time of publication in the *Pennsylvania Bulletin*, the Acting Secretary will transmit a copy of the proposed notice to the Attorney General under section 3(d)(4) of the act (35 P.S. § 780-103(d)(4)) for his review. The Attorney General shall, by law, have 30 days from receipt of the proposed notice to provide written comments to the Department, if any.

Any formal order may not be issued before the expiration of 14 days after both:

(i) The date of publication in the *Pennsylvania Bulletin* of this proposed notice of the intention to issue a final notice and the grounds upon which the order is to be issued.

(ii) The date the Acting Secretary transmitted the notice to the Attorney General.

#### Background

The United States Drug Enforcement Administration (DEA) published its intent to classify fentanyl-related substances as schedule I synthetic opioids under the Federal Controlled Substances Act (CSA) (21 U.S.C.A. §§ 801—971) at 82 FR 61700 (December 29, 2017). The DEA's temporary scheduling order was issued upon its publication at 83 FR 5188 (February 6, 2018) and is effective February 6, 2018, until February 6, 2020. If the order is extended or made permanent, the DEA will publish a document in the *Federal Register*.

Section 201 of the CSA (21 U.S.C.A. § 811) provides the United States Attorney General with the authority to temporarily place a substance in schedule I of the CSA for 2 years if he finds that the action is necessary to avoid an

imminent hazard to the public safety. The United States Attorney General has delegated his scheduling authority under section 201 of the CSA to the Administrator of the DEA. To find that placing a substance temporarily into schedule I of the CSA is necessary to avoid an imminent hazard to the public safety, the Administrator is required to consider: (1) the substances' history and current pattern of abuse; (2) the scope, duration and significant of abuse; and (3) what, if any, risk there is to the public health. Section 201(h)(3) of the CSA.

The Administrator of the DEA determined that because fentanyl-related substances have: (1) a high potential for abuse; (2) no currently accepted medical use in treatment in the United States; and (3) a lack of accepted safety for use under medical supervision, it was necessary to temporarily schedule I of the CSA to avoid an imminent hazard to the public safety. 83 FR 5188, 5190 (February 6, 2018). A substance may be temporarily scheduled if it is not listed in any other schedule under section 202 of the CSA (21 U.S.C.A. § 812), or if there is no exemption or approval in effect for the substance under section 505 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) (21 U.S.C.A. § 355). If an exemption or approval is in effect under section 505 of the FD&C Act with respect to a substance that falls within the definition of a fentanyl-related substance set forth in this notice and the final notice, the substance will be excluded from the temporary scheduling order.

The DEA has further determined that its current temporary scheduling notice would define fentanyl-related substances to include any substance that is structurally related to fentanyl by one or more of the following modifications:

1. Replacement of the phenyl portion of the phenethyl groups by any monocycle, whether further substituted in or on the monocycle.
2. Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, halo, haloalkyl, amino or nitro groups.
3. Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, haloalkyl, amino or nitro groups.
4. Replacement of the aniline ring with an aromatic monocycle whether further substituted in or on the aromatic monocycle.
5. Replacement of the N-propionyl group by another acyl group.

83 FR 5188, 5191 and 5192. The DEA's temporary scheduling order includes all substances that fall within the previous definition—even if the substances have not yet emerged on the illicit market in the United States or this Commonwealth. The DEA further noted in its temporary scheduling order that none of the substances being temporarily controlled has a currently accepted medical use in treatment in the United States.

In this Commonwealth, fentanyl-related substances are not currently scheduled. The Commonwealth has recently seen an increase in use of the drug to mix with heroin and other substances (such as cocaine and methamphetamine) or used in counterfeit pharmaceutical prescription drugs. Consequently, users who buy these substances on the illicit market are often unaware of the specific substance they are actually consuming and the associated risk with that substance. Fentanyl-related substances have a high potential for abuse and are approximately 100 times stronger than morphine. Typically, these substances are manufactured outside the United States by

clandestine manufacturers and then smuggled into the United States. They are also widely available over the internet as a "research chemical," allowing for potential widespread use within this Commonwealth.

These factors, in addition to fentanyl-related substances not currently listed in any schedule having no currently acceptable medical use in the United States, show that fentanyl-related substances pose a substantial risk to the public. This has prompted the Acting Secretary to schedule fentanyl-related substances as schedule I controlled substances on a temporary basis. In doing so, the Acting Secretary is acting to protect the citizens of this Commonwealth and bring the Commonwealth into conformity with Federal law.

#### *Legal Authority and Action*

Under section 3 of the act, the Acting Secretary shall control all substances listed in schedules I through V of the act. Under section 3(d) of the act, the Acting Secretary is authorized to schedule any substance on a temporary basis to avoid an imminent hazard to public safety. When determining whether a substance poses an imminent hazard to public safety, the Acting Secretary is required to consider: (1) the substance's history and current pattern of abuse; (2) the substance's scope, duration and significance of its abuse; (3) the risk to the public health; and (4) whether the substance is controlled under Federal law. When a substance is already controlled under Federal law, the Acting Secretary is not required to take the remaining factors into consideration.

In addition, the Acting Secretary is authorized under section 3(d) of the act to schedule on a temporary basis a substance under one of the schedules in section 4 of the act (35 P.S. § 780-104), regarding schedules of controlled substances, if the substance is not listed in any other schedule in section 4 of the act or 28 Pa. Code §§ 25.72 and 25.75 (relating to schedules of controlled substances; and paregoric) and if no exception or approval is in effect for the substance under section 505 of the FD&C Act. As previously noted, the FDA has not approved fentanyl-related substances not currently listed in any schedule under the CSA for any type of medical use.

Because fentanyl-related substances are not currently listed in any schedule of the CSA, the Acting Secretary has the authority to temporarily schedule fentanyl-related substances under the act. Although not required to do so in taking this action, the Acting Secretary has considered: (1) the increased current use of fentanyl-related substances in combination with other substances; (2) fentanyl-related substances' addictive nature; (3) the fact that fentanyl-related substances are approximately 100 times more potent than morphine; (4) the availability of fentanyl-related substances through online distributors; and (5) the lack of a valid, medical use. Accordingly, the Acting Secretary determined that fentanyl-related substances are a dangerous hazard to public safety.

To revise 28 Pa. Code § 25.72 to conform to any final notice issued by the Acting Secretary under section 3(c) of the act to temporarily schedule as schedule I controlled substances fentanyl-related substances that are not currently listed in any schedule under the act, the Department plans to promulgate a conforming amendment to 28 Pa. Code § 25.72 through final rulemaking with proposed rulemaking omitted.

*Accessibility*

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact the Department of Health, Bureau of Community Program Licensure and Certification, Division of Home Health, Drug, Device and Cosmetic Program, 132A Kline Plaza, Harrisburg, PA 17104, (717) 783-1379, or for speech and/or hearing-impaired persons,

call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 18-302. Filed for public inspection February 23, 2018, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Clinical Laboratory Improvement Amendments Excluded Laboratory Services Update; Medical Assistance Fee Schedule Revisions

The Department of Human Services (Department) announces changes to the Medical Assistance (MA) Program Fee Schedule. These changes are effective for dates of service on and after February 26, 2018.

Each year, the Centers for Medicare & Medicaid Services provides an updated list of Current Procedural Terminology (CPT) codes that are laboratory tests under section 353 of the Clinical Laboratory Improvement Amendments of 1988 (CLIA) (42 U.S.C.A. § 263a), that are excluded from CLIA certificate requirements under the CLIA regulations, 42 CFR Part 493 (relating to laboratory requirements). The Department identified seven procedure codes in this list to add to the MA Fee Schedule, and six codes that need to be opened to additional provider types, provider specialties and places of service, to make these services available outside a laboratory setting.

Therefore, the Department is adding certain outpatient laboratory CPT procedure codes to the MA Program Fee Schedule that are excluded from CLIA certificate requirements. In addition, the Department is adding certain Provider Types (PT), Provider Specialties (Spec) and Places of Service (POS) to certain outpatient laboratory CPT procedure codes that are excluded from CLIA certificate requirements and already open on the MA Program Fee Schedule.

The Department will issue an MA Bulletin to inform providers of the updates.

#### *Additions to the MA Fee Schedule*

The Department is adding the following procedure codes with the associated PT, Spec and POS combinations to the MA Program Fee Schedule:

<i>Procedure Code</i>	<i>Description</i>	<i>Provider Type</i>	<i>Provider Specialty</i>	<i>Place of Service</i>	<i>MA Fee</i>	<i>Prior Auth.</i>	<i>Units</i>	<i>Limits</i>
83013	Helicobacter pylori; breath test analysis for urease activity, nonradioactive isotope (for example, c-13)	01	016	23	\$60.10	No	Per test	Once per day
		01	017	23				
		01	183	22				
		08	082	49				
		09	All	11				
		28	280	81				
86077	Blood bank physician services; difficult cross match and/or evaluation of irregular antibody(s), interpretation and written report	01	017	23	\$41.83	No	Per procedure	Once per day
		01	183	22				
		08	082	49				
		28	280	81				
		31	All	11, 21, 23				
86078	Blood bank physician services; investigation of transfusion reaction including suspicion of transmissible disease, interpretation and written report	01	017	23	\$41.56	No	Per procedure	Once per day
		01	183	22				
		08	082	49				
		28	280	81				
		31	All	11, 21, 23				
86079	Blood bank physician services; authorization for deviation from standard blood banking procedures (for example, use of outdated blood, transfusion of Rh incompatible units), with written report	01	017	23	\$41.56	No	Per procedure	Once per day
		01	183	22				
		08	082	49				
		28	280	81				
		31	All	11, 21, 23				

<i>Procedure Code</i>	<i>Description</i>	<i>Provider Type</i>	<i>Provider Specialty</i>	<i>Place of Service</i>	<i>MA Fee</i>	<i>Prior Auth.</i>	<i>Units</i>	<i>Limits</i>
88329	Pathology consultation during surgery	01	016	23	\$29.77	No	Per procedure	Once per day
		01	017	23				
		01	183	22				
		08	082	49				
		27	All	11, 21, 24				
		28	280	81				
88738	Hemoglobin (Hgb), quantitative, transcutaneous	01	016	23	\$4.47	No	Per test	Once per day
		01	017	23				
		01	183	22				
		08	082	49				
		09	All	11				
		28	280	81				
		31	All	11				
89049	Caffeine halothane contracture test for malignant hyperthermia susceptibility, including interpretation and report	01	183	22	\$53.03	No	Per test	Once per day
		28	280	81				

*Updates to Procedure Codes Currently on the MA Program Fee Schedule*

The Department is adding the following PT, Spec and POS combinations to the procedure codes:

<i>Procedure Code</i>	<i>Description</i>	<i>Provider Type</i>	<i>Provider Specialty</i>	<i>Place of Service</i>
86485	Skin test; candida	08	082	49
		09	All	11
		31	All	11
		33	335	11
86490	Skin test; coccidioidomycosis	08	082	49
		09	All	11
		31	All	11
		33	335	11
86510	Skin test: histoplasmosis	08	082	49
		09	All	11
		31	All	11
		33	335	11
87900	Infectious agent drug susceptibility phenotype prediction using regularly updated genotype bioinformatics	31	All	11
88720	Bilirubin, total transcutaneous	08	082	49
		09	All	11, 12
		31	All	11, 12
		33	335	11, 12
88740	Hemoglobin, quantitative, transcutaneous, per day; carboxyhemoglobin	08	082	49
		09	All	11
		31	All	11

*Fiscal Impact*

The estimated cost for Fiscal Year 2017-2018 is \$0.038 million (\$0.018 million in State funds).

*Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515,

Health and Welfare Building, Harrisburg, PA 17120. Comments received will be reviewed and considered for any subsequent revisions to the MA Program Fee Schedule.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,  
*Acting Secretary*

**Fiscal Note:** 14-NOT-1210. (1) General Fund; (2) Implementing Year 2017-18 is \$18,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$74,000; (4) 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; 2014-15 Program—\$564,772,000; (7) MA—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 18-303. Filed for public inspection February 23, 2018, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Chris Stockdale, Lesley Stockdale and Barbara Gandy v. Department of Environmental Protection and Consol Pennsylvania Coal Company, LLC, Permittee; EHB Doc. No. 2018-017-R**

Chris Stockdale, Lesley Stockdale and Barbara Gandy have appealed the issuance by the Department of Environmental Protection of revised NPDES Permit No. PA0236195 to Consol Pennsylvania Coal Company, LLC for the Harvey Mine located in Richhill and Morris Townships, Greene County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 18-304. Filed for public inspection February 23, 2018, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Sunoco Partners Marketing & Terminals, LP v. Department of Environmental Protection; EHB Doc. No. 2018-016-L**

Sunoco Partners Marketing & Terminals, LP has appealed the issuance by the Department of Environmental Protection of NPDES Permit No. PA0011096 to Sunoco Partners Marketing & Terminals, LP for the Marcus Hook Industrial Complex located in Marcus Hook Borough, Delaware County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 18-305. Filed for public inspection February 23, 2018, 9:00 a.m.]

## INSURANCE DEPARTMENT

**Health Maintenance Organization Certificate of Authority Application Filed by Community Care Behavioral Health Organization**

On October 27, 2017, Community Care Behavioral Health Organization filed an application with the Department of Health and the Insurance Department for a certificate of authority to operate and maintain a health maintenance organization (HMO) under the Health Maintenance Organization Act (40 P.S. §§ 1551—1567), Department of Health HMO regulations (28 Pa. Code §§ 9.631—9.654) and the Insurance Department HMO regulations (31 Pa. Code §§ 301.1—301.204).

The proposed service areas of the applicant are 41 Pennsylvania counties.

A copy of the application is available for public inspection, by appointment only, at the following locations:

Department of Health  
Bureau of Managed Care  
Room 912, Health and Welfare Building  
Harrisburg, PA 17109-0900  
(717) 787-5193

Insurance Department  
Company Licensing Division  
1345 Strawberry Square  
Harrisburg, PA 17120  
(717) 787-2735

Interested parties are invited to submit written comments to William Wiegmann, Department of Health or Cressinda Bybee, Insurance Department at the previously listed addresses. Persons who wish to submit written comments regarding the application may do so within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Persons with disabilities may submit information and comments through alternative formats, such as audio tape, Braille or Department of Health TDD, (717) 783-6514. Persons with a disability requesting alternative forms may contact William Wiegmann to make the necessary arrangements.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 18-306. Filed for public inspection February 23, 2018, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Metropolitan Life Insurance Company (SERFF # META-131359706); Rate Increase Filing for Several LTC Forms

Metropolitan Life Insurance Company is requesting approval to increase the premium an aggregate 30.56% on 2,110 policyholders with LTC forms LTC2-IDEAL-PA, LTC2-FAC-PA, LTC2-VAL-PA, LTC2-PREM-PA, LTC2-IDEAL-PA-ML, LTC2-FAC-PA-ML, LTC2-VAL-PA-ML and LTC2-PREM-PA-ML.

Unless formal administrative action is taken prior to May 10, 2018, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 18-307. Filed for public inspection February 23, 2018, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Metropolitan Life Insurance Company (SERFF # META-131359722); Rate Increase Filing for Several LTC Forms

Metropolitan Life Insurance Company is requesting approval to increase the premium an aggregate 18.88% on 876 policyholders with LTC forms 1LTC-97-PA and 2LTC-97-PA.

Unless formal administrative action is taken prior to May 10, 2018, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 18-308. Filed for public inspection February 23, 2018, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Metropolitan Life Insurance Company (SERFF # META-131359736); Rate Increase Filing for Several LTC Forms

Metropolitan Life Insurance Company is requesting approval to increase the premium an aggregate 33% on 2,997 policyholders with LTC forms LTC-IDEAL-PA, LTC-FAC-PA, LTC-VAL-PA, LTC-PREM-PA, LTC-IDEAL-PA-ML, LTC-FAC-PA-ML, LTC-VAL-PA-ML and LTC-PREM-PA-ML.

Unless formal administrative action is taken prior to May 10, 2018, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 18-309. Filed for public inspection February 23, 2018, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have 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 insureds' automobile insurance policies. The hearings 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 hearings will be held as follows. Failure by the appellants to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Room 2014, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Amie A. Thompson; Erie Insurance Exchange; File No. 17-176-217688; Doc. No. P17-12-010; April 11, 2018, 9 a.m.

Appeal of Edward C. and Janet C. Renaud; Erie Insurance Exchange; File No. 17-176-217061; Doc. No. P17-12-006; April 11, 2018, 10 a.m.

Following the hearings and receipt of the stenographic transcript, the Acting Insurance Commissioner (Acting Commissioner) will issue a written order resolving the factual issues presented at a hearing and stating what remedial action, if any, is required. The Acting Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Acting Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend a previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Human Resources at (717) 783-4308.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 18-310. Filed for public inspection February 23, 2018, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with the company's termination of the insured's homeowners policy. The hearing will be held in accordance with the requirements of the act; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to Administrative Rules of Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held as follows. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in Room 2014, Piatt Building, 301 5th Avenue, Pittsburgh, PA 15222.

Appeal of Cindy L. Miranda; Erie Insurance Exchange; File No. 17-130-216080; Doc. No. P17-11-002; April 11, 2018, 11 a.m.

Following the hearing and receipt of the stenographic transcript, the Acting Insurance Commissioner (Acting Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Acting Commis-

sioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Acting Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, should contact Human Resources at (717) 783-4308.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 18-311. Filed for public inspection February 23, 2018, 9:00 a.m.]

## OFFICE OF ADMINISTRATION

### Notice of Minimum Wage Increase under Executive Order 2016-02 Establishing a Minimum Wage for Employees of the Commonwealth and of Organizations Receiving State Contracts

Executive Order 2016-02 (Executive Order), Minimum Wage for Employees of the Commonwealth and of Organizations Receiving State Contracts was signed by Governor Tom Wolf on March 7, 2016. The Executive Order raised the hourly minimum wage paid to employees of Commonwealth agencies under the Governor's jurisdiction and by contractors to workers performing work on or in connection with covered State contracts to \$10.15 per hour, beginning July 1, 2016; and beginning January 1, 2017, and annually thereafter, an amount determined in accordance with the methodology set forth in the Executive Order. Effective July 1, 2017, the hourly minimum wage paid to employees of Commonwealth agencies under the Governor's jurisdiction and by contractors to workers performing work on or in connection with covered State contracts increased to \$10.20 per hour.

Under the Executive Order, notice is hereby given that beginning July 1, 2018, 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 \$10.35 per hour.

This notice is effective on March 1, 2018.

SHARON P. MINNICH,  
*Secretary*

[Pa.B. Doc. No. 18-312. Filed for public inspection February 23, 2018, 9:00 a.m.]

## OFFICE OF OPEN RECORDS

### Change of Address

As of Monday, February 5, 2018, the Office of Open Records' new physical and mailing address is 333 Market Street, 16th Floor, Harrisburg, PA 17101-2234.

The other contact information has not changed:

Telephone: (717) 346-9903

Fax: (717) 425-5343

E-mail: openrecords@pa.gov

Web site: www.openrecords.pa.gov

ERIK ARNESON,  
*Executive Director*

[Pa.B. Doc. No. 18-313. Filed for public inspection February 23, 2018, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security or Insufficient Financial Security Amount

Public Meeting held  
February 8, 2018

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

*Electric Generation Supplier License Cancellations of  
Companies with an Expired Financial Security or  
Insufficient Financial Security Amount; M-2018-2640827*

#### Tentative Order

*By the Commission:*

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license

will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120 prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferable in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of January 30, 2018, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount directed by the Commission, to replace its expired bond as noted in the table below.

*Supplier Table—List of Electric Generation Suppliers*

<i>Docket Number</i>	<i>Company Name</i>	<i>Financial Security Expiration Date</i>	<i>Commission Approved Amount</i>
A-2013-2354759	DYNAMIS ENERGY, LLC	January 9, 2018	Yes
A-2011-2234410	ECOVA, INC.	January 26, 2018	Yes
A-110175*	LIBERTY POWER HOLDINGS, LLC	January 14, 2018	Yes
A-2017-2585655	PRUDENTIAL ENERGY SERVICES CORPORATION	January 9, 2018	Yes
A-110072	RICHARDS ENERGY GROUP, INC.	January 23, 2018	Yes
A-2015-2507378	UTMOST, INC.	January 22, 2018	Yes

\*Taking title to electricity

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 90-day Security Renewal Notice Letter to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security, must be filed within 30 days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for each EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

*It Is Ordered That:*

1. Cancellation of the Electric Generation Supplier Licenses of each company listed in the Supplier Table is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, Department of Revenue—Bureau of Corporation Taxes, all electric distribution companies, all of the Electric Generation Suppliers in the Supplier Table and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment or the filing of an approved security within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary.

4. Upon entry of the Final Order described in Ordering Paragraph No. 3 above, each company listed in the Supplier Table will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

5. Upon entry of the Final Order described in Ordering Paragraph No. 3, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 18-314. Filed for public inspection February 23, 2018, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period June 1, 2017, through May 31, 2021

Public Meeting held  
February 8, 2018

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

*Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period June 1, 2017 Through May 31, 2021;*  
P-2016-2526627

#### Final Order

*By the Commission:*

Before the Pennsylvania Public Utility Commission (Commission) for consideration is a recommendation from the Office of Competitive Market Oversight (OCMO) concerning operational issues concerning the implementation of PPL Electric Utilities' Customer Assistance Program Standard Offer Program (PPL CAP-SOP).<sup>1</sup> On November 8, 2017, the Commission adopted a Tentative Order (Tentative Order) in this proceeding seeking comment on various implementation issues including how to handle customers who are receiving service from an electric generation supplier (EGS) after June 1, 2017, and subsequently enroll in CAP. Through this Final Order, we provide directions as to the actions PPL and EGSs are to

<sup>1</sup> The PPL CAP-SOP, as of June 1, 2017, is the only vehicle that a CAP participating customer may use to shop and receive supply from an electric generation supplier (EGS), wherein EGSs participating in the CAP-SOP must agree to serve customers for 12 months at a 7% discount off the price-to-compare (PTC) at the time of enrollment, with no early termination fees.

take regarding customers who are either currently participating in PPL's CAP<sup>2</sup> or enroll into CAP in the future.

#### *History of the Proceeding*

On January 29, 2016, PPL filed with the Commission a Petition for Approval of a Default Service Program and Procurement Plan (DSP IV or DSP IV Plan) for the period June 1, 2017 through May 31, 2021 (DSP Petition). The DSP Petition was filed pursuant to 66 Pa.C.S. § 2807. On July 19, 2016, PPL and various parties filed a Joint Petition for Approval of Partial Settlement (Settlement or Partial Settlement). Several of the Parties to the proceeding filed briefs and reply briefs regarding a single litigated issue—the Customer Assistance Program (CAP) customer shopping issue.

On August 17, 2016, Administrative Law Judge (ALJ) Susan D. Colwell issued her Initial Decision wherein she adopted the PPL CAP-SOP proposed by PPL, the Bureau of Investigation and Enforcement (I&E), the Office of Consumer Advocate (OCA) and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA), as modified by ALJ Colwell. Exceptions to the Initial Decision were filed by PPL, the Retail Energy Supply Association (RESA) and PP&L Industrial Customer Alliance (PPLICA) on September 6, 2016. Replies to Exceptions were received on September 16, 2016, from PPL, the OCA, I&E and CAUSE-PA. In an Opinion and Order issued on October 27, 2016<sup>3</sup> (October 2016 Order), the Commission approved the Settlement and adopted the PPL CAP-SOP jointly proposed by the Joining Parties to become effective June 1, 2017.

On November 14, 2016, RESA filed a Petition for Reconsideration (Petition), seeking reconsideration of the approval of the PPL CAP-SOP in the October 2016 Order. By Order entered November 16, 2016, the Commission granted the Petition, pending further review of, and consideration on, the merits. On November 28, 2016, PPL, I&E, the OCA and CAUSE-PA filed Answers to the Petition. In an Opinion and Order issued on January 26, 2017<sup>4</sup> (January 2017 Order), the Commission denied RESA's Petition.

On February 27, 2017, RESA filed with the Commonwealth Court a Petition for Review of the October 2016 Order and January 2017 Order, with respect to the approval of the PPL CAP-SOP. *RESA v. Pa. PUC*, 230 C.D. 2017. However, RESA has not sought a stay of the implementation of the PPL CAP-SOP. Briefs have been filed and oral argument was held before the Commonwealth Court on December 6, 2017, and the parties await a court decision.

On March 10, 2017, PPL filed a petition to push back the implementation date of the PPL CAP-SOP (Petition to Amend) to September 2017—citing various operational and information-technology challenges. On March 30, 2017, letters in response to the Petition to Amend were filed by the OCA and CAUSE-PA. However, on May 8, 2017, PPL filed a petition to withdraw its petition to push back the implementation date—and instead go with the original June 1 implementation date. On May 12, 2017, RESA filed a letter in opposition to the petition to withdraw and on May 16, 2017, CAUSE-PA filed a letter in support of the petition to withdraw. On May 16, 2017,

<sup>2</sup> PPL's CAP program is also referred to as the On-Track program.

<sup>3</sup> See Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period June 1, 2017 Through May 31, 2021, Docket No. P-2016-2526627 (Order Entered October 27, 2016).

<sup>4</sup> See Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period June 1, 2017 Through May 31, 2021, Docket No. P-2016-2526627 (Order Entered January 26, 2017).

PPL filed a letter in response to RESA's letter, followed by a May 17, 2017, RESA response to PPL's May 16th Letter.

In a June 2017 Order,<sup>5</sup> the Commission granted the Petition to Withdraw. The Commission directed OCMO to facilitate meetings between PPL and the affected Electric Generation Suppliers (EGSs), including RESA, to examine and resolve any operational issues integral to the implementation of the CAP-SOP and, thereafter, to provide a status report to the Commission that addresses the discussions and dispositions of those operational issues.

CAUSE-PA and the OCA filed Petitions on July 5, 2017, and July 7, 2017, respectively. In its Petition, CAUSE-PA requested that the Commission clarify its June 2017 Order to allow all parties to participate in the meetings, as the process and procedures discussed are likely to have a significant impact on the proper implementation of the Commission's underlying Order. OCA made a similar request in their petition. On July 11, 2017, letters in response to the instant Petitions were filed by PPL and RESA. In an Opinion and Order issued on July 12, 2017 (July 2017 Order), the Commission granted the Petitions, pending further review of, and consideration on, the merits. Furthermore, the directives within the June 2017 Order that OCMO was to hold a meeting within thirty days and provide a status report within ninety days were suspended.

With an Order adopted on August 3, 2017,<sup>6</sup> (August Order) the Commission agreed to allow all parties to participate in the meetings. In addition, the Commission directed the following:

- (1) That, within thirty days OCMO would facilitate meetings with PPL, the affected EGSs, including RESA, CAUSE-PA, the OCA and any other interested party to this proceeding to examine and resolve any operational issues that are integral to the implementation of the CAP-SOP; and,
- (2) That, within ninety days of the entry date of this Opinion and Order, OCMO would provide a status report of the discussions and the disposition of the implementation issues in this matter to the Commission.

August Order at 11-12.

*August 28, 2017 Meeting*

Per the Commission's August Order directives, OCMO convened an in-person meeting on August 28, 2017. Approximately two-dozen individuals participated; including consumer advocates, suppliers, PPL, and Commission staff from various bureaus. During the discussion, it soon became apparent that the primary point of contention was the treatment of supplier customers on month-to-month contracts—specifically—when do these customers need to be returned to PPL to either go onto default service or obtain a supplier via the PPL CAP-SOP?

Some participants pointed to ordering paragraph (14)(i) of the Commission's October 2016 Order to support their contention that month-to-month customers remain with their supplier until the customer is re-certified by PPL for the PPL CAP:

- (i) PPL Electric will revise its CAP recertification scripts/process so that all existing CAP shopping customers receiving generation supply on a month-to-

month basis after June 1, 2017 will be required at the time of CAP recertification to enroll in the CAP-SOP or return to default service, but in any event will only be permitted to shop through the CAP-SOP.

However, other participants disagreed with this contention—pointing to ordering paragraphs (14)(g) and (h) of the same order:

- (g) All CAP customer shopping fixed-term contracts in effect as of the effective date of the CAP-SOP will remain in place until the contract term expires and/or is terminated.
- (h) Once the existing CAP customer shopping contract expires or is terminated, the CAP customer will have the option to enroll in the CAP-SOP or return to default service, but in any event will only be permitted to shop through the CAP-SOP.

Some parties contended that a month-to-month contract expires at the end of the billing period; meaning that the customers on month-to-month supplier contracts should have already been returned to PPL default service or CAP-SOP. Further, as a practical matter, some parties noted that, at that time, there was no way for suppliers to know when customer recertification occurs—so there was no possibility for the ordering paragraph (14)(i) interpretation noted above to even be accomplished. Some parties noted that recertification occurs every 18 months, asserting that it could not have been the Commission's intention to allow a customer in CAP to go this long without being enrolled into the PPL CAP-SOP or returned to default service. Some parties asserted that ordering paragraph (14)(i) was simply a "catch-all" intended to catch any customer who was, for whatever reason, not previously dropped by their supplier. Some also argued that there was no such thing as a month-to-month contract; that all contracts are for a fixed duration and that the duration of a month-to-month contract is one month. However, other participants pointed out that this interpretation does not provide enough time for suppliers to provide customers with the two contract expiration notices required by the Commission at 52 Pa. Code § 54.10.<sup>7</sup>

There was also discussion as to what extent these issues are truly transitional in nature or not as customers will always be moving in and out of CAP and in and out of shopping. Going forward, what is the expectation upon PPL as to handling new CAP customers who are with a competitive supplier? PPL stated that it does not want to interfere with existing contracts and risk exposing the customer to early termination fees. PPL noted that it currently lets the customer's fixed duration contract run its course before the customer is required to be dropped by the supplier to default service or the PPL CAP-SOP. However, the question about how customers who are on a month-to-month supplier contract and are subsequently enrolled in CAP are to be treated remains. And regardless, PPL noted that it has no way of knowing just what type of supplier contract a customer is on; fixed duration or month-to-month; and customers are often uncertain about their contract type.

To aid suppliers in identifying CAP customers, on October 18, 2017, PPL notified OCMO that it had revised its supplier web-portal to make recertification dates available to suppliers. Also, effective September 13, 2017, PPL

<sup>5</sup> See Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period June 1, 2017 Through May 31, 2021, Docket No. P-2016-2526627 (Order Entered June 23, 2017).

<sup>6</sup> See Petition of PPL Electric Utilities Corporation for Approval of a Default Service Program and Procurement Plan for the Period June 1, 2017 Through May 31, 2021, Docket No. P-2016-2526627 (Order Entered August 3, 2017).

<sup>7</sup> 52 Pa. Code § 54.10 requires suppliers to provide two notices; one 45–60 days before expiration; the other at least 30 days before expiration. <http://www.pacode.com/secure/data/052/chapter54/s54.10.html>.

would identify which customers were enrolled in CAP on their supplier portal customer lists. PPL also indicated that the customer lists would be updated daily, giving suppliers a near real-time method of identifying which of their customers were enrolled in CAP so that the supplier could comply with the Commission approved directives in the PPL CAP-SOP settlement.

Given the fundamental disagreements between the stakeholders noted above, and acknowledging that some of the post-transition issues had not been fully addressed in previous orders, the Commission, on November 8, 2017 adopted a Tentative Order (Tentative Order) to solicit comment on proposed clarifications and proposals regarding when a shopping customer who subsequently becomes CAP-eligible must be transferred to either PPL's default service or to the CAP-SOP.<sup>8</sup> Specifically, regarding customers that are taking supply service from an EGS through a fixed-duration contract and subsequently is enrolled in PPL's CAP, we proposed the following:

The Commission affirms the position that customers who are on a fixed-duration contract with a supplier and subsequently enrolls in the On-Track program at any time after June 1, 2017, remain with that supplier until the expiration date of the fixed-duration contract or the contract is terminated. Once the newly enrolled CAP customer supplier contract expires or is terminated, the CAP customer will have the option to enroll in the CAP-SOP or return to default service, but in any event, will only be able to shop through the CAP-SOP.

This proposal was intended to ensure that we are not directing the abrogation of contracts and possibly exposing these customers to early termination fees.

Regarding customers that are taking supply service from an EGS through a month-to-month contract and subsequently is enrolled in PPL's CAP, we proposed the following as to give suppliers the time needed to provide appropriate notices to the customer:

A shopping customer who subsequently becomes CAP-eligible must be dropped by the supplier to PPL default service within 120 days after the customer is enrolled in CAP.<sup>9</sup> The CAP customer will then have the option to enroll in the CAP-SOP or return to default service, but in any event, will only be able to shop through the CAP-SOP.

Further, we acknowledged that some post-transition issues needed to be addressed, given that customers will be continually moving in-and-out of On-Track and shopping. Suppliers need to know which potential customers are in the On-Track program—and when any of their current customers enter On-Track. PPL may need to know what type of supply contract a customer is on at the time they enter On-Track. We asked parties to comment on the sufficiency of the web-portal mechanisms developed by PPL to provide CAP customer information and asked parties to comment on whether suppliers should

also be obligated to respond to any information request from PPL as to what type of contract the customer is on; month-to-month or fixed duration—and if the contract is for a fixed duration, should the supplier provide PPL with the expiration date of the contract. Finally, we invited parties to comment on any other implementation issues that may have been overlooked.

#### *Comments*

Five parties filed comments on December 8, 2017: the Retail Energy Supply Association (RESA); WGL Energy Services Inc. (WGL); the Office of Consumer Advocate (OCA); the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA); and PPL Electric Utilities Corporation (PPL).<sup>10</sup>

RESA prefaces its comments by noting that it continues to strongly disagree with the Commission's decision to implement the CAP-SOP and that their comments offered in response to the Tentative Order should not be viewed as a waiver or reversal of RESA's position in this regard. RESA at 1. Also, in RESA's view, requiring EGS customers who decide they want to receive CAP benefits to take affirmative action (either during initial enrollment or recertification) to cancel existing month-to-month contracts or to not renew an existing contract upon contract expiration is the most appropriate way to proceed. However, RESA recognizes the apparent desire to place the burden on EGSs to cancel these contracts if the customer fails to take affirmative steps to do so and, to that end, offers their comments. RESA at 3-4.

RESA notes that to facilitate the cancelling of EGS contracts, PPL was initially providing a list to EGSs of their customers enrolled in CAP. PPL then subsequently modified its web portal to provide information to EGSs regarding their customer's enrollment in CAP which is to include providing the customer recertification dates to suppliers. Based on some random sampling, RESA reports that its members have been unable to confirm the timeliness and accuracy of the data provided. Initially, the recertification date coincided with the date PPL refreshed the list but now some of the dates (but not all) appear to be repopulating more accurately. Because PPL has implemented updates to its web portal, it has discontinued sending EGSs customer lists which identify the new CAP participants. However, even to the extent the portal process is refined so that it is timely and usable, RESA believes that requiring PPL to affirmatively send lists to the EGSs would better ensure prompt EGS action. RESA at 4-5.

Regarding fixed-duration contracts, RESA requests that the Commission give EGSs flexibility to manage the notice of contract cancellation process to allow EGSs to send one notice to the customer rather than requiring them to send the two renewal notices mandated by 52 Pa. Code § 54.10. EGSs have had to make individual company decisions based on their specific operations to determine how to best comply with: (1) the CAP-SOP Final Order, (2) the Commission's contract renewal requirements; and, (3) specific contract language regarding contract cancellation. Depending on the size and internal operational processes of the specific EGS, it may not have been able to "personalize" the Commission required customer renewal notices leaving it with no choice but to send a third cancellation notice to the customer who is enrolled in CAP. Other companies may have been able to issue an "options" notice stating that as the customer is

<sup>8</sup> The Commission, however, did not propose to otherwise clarify, amend or change the terms and conditions of the CAP-SOP adopted in the Opinions and Orders entered on October 27, 2016 and January 26, 2017, which are presently the subject of an appeal at Docket No 230 C.D. 2017. The clarifications conforms with the Rules of Appellate Procedure, Rule 1701(b)(1), which permits the Commission to "[t]ake such action as may be necessary to preserve the status quo, . . . , and take other action permitted or required by these rules or otherwise ancillary to the appeal or petition for review proceeding." RESA agreed in its April 25, 2017 letter, filed at this Docket and available at <http://www.puc.state.pa.us/pcdocs/1518238.pdf>, that RAP 1701 permits the Commission to take further action in this matter to address CAP-SOP operational and implementation issues.

<sup>9</sup> For customers who are receiving supply service from an EGS through a month-to-month contract and are subsequently enrolled in PPL's CAP after June 1, 2017 and before this proposal becomes final, the supplier must drop that customer to PPL default within 120 days after a Final Order adopting this proposal is published in the *Pennsylvania Bulletin*.

<sup>10</sup> In addition, the PPL Industrial Customer Alliance (PPLICA) filed a notice on December 8, 2017 informing the Commission that it would not be submitting comments in this proceeding.

enrolled in CAP he/she cannot renew the existing contract. Still other companies may have elected to issue a cancellation notice immediately (and consistent with the terms of the existing contract) without sending the initial and options notices set forth in the Commission's regulations. Accordingly, the Commission should give EGSs flexibility to manage the notice of contract cancellation process based on their individual company's processes and abilities. RESA at 5—7.

RESA notes that while PPL has modified its web portal to provide information to EGSs regarding their customer's enrollment in CAP including the customer recertification dates, knowing the recertification date does not inform the EGS about whether the customer has elected to recertify on that date. RESA at 7.

Concerning month-to-month contracts, RESA notes that these contracts generally include provisions that allow either party to cancel at any time. Because this ability to cancel a month-to-month contract is a key term in these types of contracts, EGSs are likely not relying on the notice process of § 54.10 because they are not "renewing or changing" month-to-month contract terms when the EGS exercises its right. Regardless, RESA agrees with the Tentative Order that this "120-day return deadline is simpler to administer and comply with" for two reasons. First, it provides the customer some time to affirmatively exercise his/her rights under the contract to cancel it if the customer wishes to accept CAP benefits in lieu of shopping. Second, it gives EGSs ample opportunity to provide any customer notices required by the specific contract with the customer and comply with the Commission's directive to drop these customers. RESA at 8-9.

Concerning existing month-to-month contracts, in the Tentative Order, the Commission proposes that any EGS customers on a month-to-month contract who enrolled in PPL's CAP after June 1, 2017 be dropped within 120 days after a final order is published in the Pennsylvania Bulletin. Given the directive of the CAP-SOP Final Order that customers would be responsible for cancelling month-to-month EGS contracts after June 1, 2017 and that PPL was going to revise its CAP recertification scripts/process to facilitate this, there may be some CAP participants who are still receiving EGS service through "legacy" contracts (meaning the EGS customer had enrolled in CAP prior to June 1, 2017 and was being served on a month-to-month contract on June 1, 2017). To provide clear guidance to the industry, the Commission should clarify that its 120-day window to drop any EGS customers on a month-to-month contract who are enrolled in CAP on the date of publication of the final order applies without regard for whether the CAP enrollment occurred pre or post-June 1, 2017. RESA at 9-10.

Concerning whether EGSs should be obligated to respond to any information request from PPL as to what type of contract the customer is on and, if a fixed-duration contract, provide PPL the expiration date of the contract—RESA opines that EGSs generally view this information as competitively sensitive and would not support a requirement that it be disclosed to PPL. RESA believes that the processes that the Commission is developing place the burden on the EGSs to cancel contracts and as such there is no useful purpose served by requiring EGSs to provide information about their customer contracts to PPL. RESA at 10.

Regarding when customers on month-to-month contracts need to be returned to PPL, WGL believes that the Commission's October 2016 Order is very clear on this point—paragraph (14)(i) clearly indicates that such cus-

tomers may remain with their supplier until the customer is re-certified by PPL for the PPL CAP. However, this mandate is impossible to implement unless EGSs know when a customer is due for CAP recertification. WGL believes that a termination of the contract would be considered a change in terms that would trigger the need to issue the two notices required by regulation. To the extent that CAP recertification is used as a trigger to drop a customer, the obligation to drop a customer should only occur after a customer recertifies—and the supplier will need adequate time after the recertification to provide the required notices. Therefore, WGL agrees with the Commission's proposal to allow 120 days for an EGS to return a month-to-month customer to PPL default service after that customer enrolls in CAP, or, for existing CAP customers on month-to-month contracts, 120 days after the Order is final. WGL at 2.

WGL notes that PPL's current process requires EGSs to log into the PPL web portal on a recurring basis to check on customers' CAP status and recertification timing—and that they believe this process is not workable. It requires dozens of suppliers to task individual employees to log into the PPL web-portal, and cross-check the EGS's customer lists against PPL's list, to determine if an existing customer has enrolled in CAP. As the entities who have the obligation under the PPL CAP-SOP to take the initiative to "drop" their own customers, suppliers will spend many hours checking and re-checking PPL's portal to make sure no change in CAP status is missed. Much of this time and effort will come to nothing. WGL thinks that a much more reasonable and workable process would involve placing the obligation on PPL to proactively notify EGSs when an existing EGS customer enrolls in CAP. This could be accomplished with a once a week email from PPL to each EGS, identifying which existing customers of the EGS has enrolled in CAP during the preceding week. PPL has all of the information needed to automatically generate EGS-specific reports about customer enrollments in CAP. As the only party with the direct access to that information, WGL believes that PPL is in the best position to assume the obligation of identifying the appropriate customers who must be "dropped" and notifying the EGSs accordingly. WGL at 3.

Further, in addition to notifying EGSs when their enrolled customers enter CAP, WGL opines that basic fairness justifies requiring PPL to notify the EGSs when their customers who were "dropped" upon entry to CAP subsequently leave CAP. PPL's CAP-SOP gives EGSs no choice but to "drop" their customers who happen to enroll in CAP—even if the customer is completely satisfied with their EGS service offering. As a result of the CAP-SOP rules, EGSs who have invested time and money in acquiring a customer and procuring electricity to serve them is then forced to relinquish that customer, in some cases before fully recouping the costs of customer acquisition. WGL therefore proposes that PPL should proactively notify that EGS when the customer exits CAP. This will give the affected EGS the first opportunity to re-engage with the customer to seek re-enrollment. The customer would not be forced to re-enroll with the EGS; but at least the EGS who was forced to "drop" the customer would have the opportunity to make the first contact with the customer to discuss re-enrollment options with the customer. WGL at 4.

Finally, WGL states that there is absolutely no basis or need to require suppliers to inform PPL about that the suppliers' contractual arrangements with customers. Suppliers are the entities that have the obligation to "drop" customers who enroll in PPL's CAP. Because PPL has no

involvement in initiating the “drop” process, there is no need for PPL to know the length or end-date of a customer’s EGS contract. WGL at 5.

The OCA is concerned that the Commission’s proposal concerning the treatment of month-to-month customer contracts relies upon notices for expiration of fixed term contracts, not month-to-month contracts, which could delay a CAP customer’s transition to default service or the CAP-SOP. OCA thinks that customers on a month-to-month contract, without a cancellation fee, should be able to be moved into CAP within thirty days. OCA at 3.

The OCA submits that there are two groups of customers taking EGS service on “month-to-month” contracts; the first group is customers who were previously on a fixed price contract and have been defaulted to a month-to-month contract. The second group is those customers who signed up for a variable rate contract. Regarding the first group of customers (shopping customers who have defaulted to a month-to-month contract from a fixed price contract), the only notice requirement is for EGS’ to provide a thirty-day advanced notice of a price change per 52 Pa. Code § 54.10(2)(ii). While this is an advanced notice of price change, this notice appears to be intended to allow the customer to exit the service with the EGS or change to another product if the new price is unacceptable. OCA at 3-4.

The second group of customers on “month-to-month” contracts are customers being served under variable rates. These customers are not subject to the notice requirements of 54.10(2) as they are not on fixed term contracts. 52 Pa. Code § 54.10(2). EGSs are not required to provide advance price notices to customers who are on variable rate contracts and the decision to end the contract rests with the customer. Since there are no notice provisions for these customers in the Commission’s regulations, the OCA submits that the proposed 120 day waiting period to be returned to default service or select CAP-SOP is not necessary. CAP customers on variable rate contracts can, and should, be transitioned to default service or to the CAP-SOP as soon as the customer terminates the variable rate agreement. OCA at 3—5.

Concerning customers with fixed-duration contracts, the OCA submits that allowing a customer seeking to enroll in CAP to continue until expiration could negatively impact the customer and costs paid by non-CAP customers. Contracts can have a significant duration with some suppliers offering 24-month and 36-month duration contracts. If new CAP participants were permitted to enroll in the CAP program with an existing contract of significant duration, the goals of the CAP-SOP will not be fully realized. The OCA submits that the customer seeking to enroll in CAP should be required to end the contract to enter the CAP and the customer should be informed of the possibility of cancellation fees and provided assistance in evaluating that possibility. OCA at 5.

CAUSE-PA prefaces its comments by noting that it will limit its comments to the stated rationale for the order: to address implementation issues for shopping customers who, post June 1, 2017, seek to enroll in CAP. On this narrow issue which the Commission’s proposal seeks to address, CAUSE-PA asserts that no further guidance is necessary beyond the Commission’s October 27, 2016 and January 26, 2017 Orders, which are still on appeal before the Commonwealth Court. Given the pendency of the appeal, CAUSE-PA opines that the Commission lacks jurisdiction to make any changes to those orders at this time. CAUSE-PA at 1. CAUSE-PA notes that oral arguments were held on December 6, 2017 and as such,

jurisdiction over the CAP-SOP terms remains with the Commonwealth Court until a decision is reached. CAUSE-PA at 2.

CAUSE-PA does not believe the approach proposed by the Commission is necessary or prudent because the Commission’s previous orders, and existing regulations, provide sufficient guidance for the issues identified. The restriction, that effective June 1, 2017, the CAP-SOP is the only vehicle that a CAP customer may use to shop and receive supply from an EGS, is clear and applies to both new and existing CAP customers. CAUSE-PA insists that this restriction must be “upheld—without erosion—to prevent certain and substantial harm from occurring.” CAUSE-PA at 2.

CAUSE-PA opposes the imposition of new requirements over those that already exist in the CAP-SOP program approved by the Commission in its October 2016 Order. While EGSs may need to be directed to comply with the terms of the order, no additional clarification is needed. CAUSE-PA submits that the Commission’s proposals directly contradicts the approved CAP-SOP, which is currently on appeal before the Commonwealth Court, and would undermine the CAP-SOP. CAUSE-PA at 5.

Instead, CAUSE-PA urges the Commission to direct that PPL follow the October 2016 Order that provides that customers who are being served by an EGS and who are seeking to enroll in CAP with three choices: (1) return to PPL provided default service; (2) enroll in CAP-SOP; or, (3) decline CAP enrollment and remain with their supplier. CAUSE-PA believes that there are no other reasonable alternatives. CAUSE-PA at 5.

CAUSE-PA opines that there is no real debate here—an examination of subsections (g), (h) and (i) shows that these provisions were only prospective in nature, and were designed to ease the implementation of CAP-SOP for existing CAP customers who—as of June 1, 2017—were currently shopping. CAUSE-PA at 7. CAUSE-PA notes that ALJ Colwell’s Initial Decision recognized that subsections (g), (h) and (i) were only intended to apply to those CAP customers who were enrolled in the program and shopping for competitive supply at the time of implementation—not prospective or future CAP enrollees after implementation was complete. These “transitional provisions” were only intended to apply for existing CAP customers at the time of implementation and that they were not intended to apply in perpetuity to all new CAP enrollees. CAUSE-PA at 7—9. CAUSE-PA believes that the controlling language for when a new CAP enrollee must elect to return to default service or enter the CAP-SOP is contained in subsection (a), which prohibits any CAP enrollees who were not shopping at the time of transition and/or who seek to enroll in CAP after June 1, 2017 from shopping outside of the CAP-SOP for any length of time after June 1, 2017. CAUSE-PA at 8.

CAUSE-PA submits that the Commission’s rationales for its proposals in the Tentative Order fail to consider the likely harm in allowing new CAP applicants to remain with their supplier—harm to a household’s financial and physical safety as well as to other residential ratepayers. While some CAP customers may face a cancellation or termination fee, those fees are not collectible through utility bills and cannot result in the customer’s termination. Nor are cancellation or termination fees recoverable through the purchase of receivables program, nor are they recoverable from ratepayers through uncollectible expenses. On the other hand, shopping outside the CAP-SOP for any length of time effects the costs paid by other ratepayers who pay for CAP and can and does

routinely result in the early expiration of a customer's maximum CAP credits. CAUSE-PA at 10.

CAUSE-PA questions the Commission's assertion that a transition period is necessary to allow suppliers to comply with notice requirements in section 54.10 because these requirements are designed to ensure that a shopping customer is informed about a change in the terms and conditions of an ongoing relationship with a supplier that are initiated by a supplier. Nothing in section 54.10 requires suppliers to provide notice to a customer when the customer is taking proactive action to switch away from the supplier. CAUSE-PA opines that no such notice is needed because the notice requirements only require suppliers to notify a consumer when a contract period is set to expire—leading to the imposition of new terms or pricing—or when the supplier seeks to change the terms of the contract to ensure that the consumer is aware of their options. CAUSE-PA at 10-11.

Further, CAUSE-PA thinks that the Commission's concern that an immediate supplier switch is "too abrupt" from the customer's perspective is misplaced. CAP customers are actively seeking immediate relief from unaffordable rates, often have arrears, and are frequently facing termination of service. They require immediate financial assistance to help stabilize their finances. Requiring CAP customers to choose between returning to default service or enrolling in the CAP-SOP as a condition of receiving immediate rate relief is not "too abrupt"—rather, it cannot come fast enough in the opinion of CAUSE-PA. CAUSE-PA at 11-12.

CAUSE-PA submits that, to facilitate compliance with the CAP shopping rule, new CAP applicants should be required to: (1) affirmatively acknowledge that they may only shop for electric through the CAP-SOP; (2) elect whether to return to default service or enroll in the CAP-SOP; (3) provide express authorization for PPL to make the elected switch on their behalf, and (4) acknowledge that they may face a termination or cancellation fee if they opt to cancel their EGS-contract. PPL's CAP-SOP is "a Commission-approved program" that was designed to mitigate the ramifications of unrestricted shopping by PPL's CAP customers. Accordingly, it is appropriate pursuant to the language in section 57.172(a) for a customer enrolling in CAP to provide their express or written authorization—as part of the CAP application process—for PPL to switch their service to a new EGS through the CAP-SOP. CAUSE-PA at 13—15.

PPL agrees with the Tentative Order's proposal to clarify the requirement that customers with fixed-duration contracts who subsequently enroll in CAP must either return to default service or enroll in the CAP-SOP upon the expiration of their contracts. This proposal simply clarifies that the CAP-SOP rule approved in the October 2016 Order, which addresses fixed-duration contracts for existing CAP customers, should apply to customers who enroll in CAP after June 1, 2017. PPL submits that there is no reason to treat future CAP customers differently and that it was not the intent of the Commission to carve-out future CAP customers from the requirements of CAP-SOP. PPL at 2-3.

However, PPL requests that the Commission clarify its proposal further by including the requirement that the EGS has the duty to return customers to default service at the conclusion of the fixed-duration contracts. PPL submits that without the EGSs returning customers to default service at the conclusion of their contracts, the goal of having customers returned to default service or enrolled into CAP-SOP will not be achieved. PPL notes

that it does not know the end-dates of its customers' shopping contracts or terms, and thus cannot return CAP customers to default service at the expiration of these contracts. The EGSs, however, know which customers are enrolled in CAP, the end dates of the CAP customers' contracts, and have the ability to return these customers to default service. Accordingly, PPL asks that language be included directing that "the supplier will return" the CAP customer to default service. PPL at 3-4.

Regarding customers who receive supply service from an EGS through a month-to-month contract and subsequently enroll in CAP, PPL submits that the Tentative Order's proposal to have them returned to default service within 120 days is a reasonable and balanced approach and should be adopted. The proposal to provide EGSs 120 days to return these customers to default service resolves this concern by providing EGSs with the time necessary to fully comply with the Commission's notice regulations. In PPL's opinion, this proposal also protects the interests of CAP customers and the other residential customers who pay for CAP. If CAP customers are permitted to stay on a month-to-month contract until their recertification date, CAP customers could potentially continue on a month-to-month contracts for up to 18 months. PPL at 4-5.

Concerning CAP customer data availability, PPL reports that it has revised its supplier web-portal referred to as "My Customer List" with a "Yes" or "No" indicator to show which accounts are CAP customers. If the account is a "Yes," then there is also a recertification date. The "My Customer List" is updated daily to capture when existing customers enroll into CAP. The purpose of the revised "My Customer List" is to allow EGSs to identify those customers that are enrolled in CAP and providing their CAP recertification date. PPL further notes that the web-portal information is downloadable and that will allow EGSs to sort through and filter their lists of customers to quickly and easily identify changes to their lists of accounts. PPL at 5.

Finally, PPL requests the opportunity to respond to any additional issues or proposals raised by other parties to further change the CAP-SOP program prior to a final order in this matter. PPL at 6.

#### *Discussion*

We thank the stakeholders for their participation in this process and the thoughtful comments they provided. As we stated in the Tentative Order, this is an admittedly complex and challenging subject involving consumers needing assistance with paying their electric bills. We acknowledge the need to protect these consumers and the interests of all residential consumers who support assistance programs via the rates they pay. At the same time, we do not want to deny these consumers the benefits of the competitive market—nor do we want to impose unreasonable or burdensome procedures upon the suppliers and PPL. This requires a careful consideration and balancing of the interests of all the stakeholders involved. We found the advice of the stakeholders as presented in their comments helpful in working toward these objectives. After review of the comments submitted, the previous Orders in this proceeding, and the applicable regulations and laws, we are prepared to offer the following directions.

First, concerning those customers on fixed-duration contracts who subsequently enter PPL's CAP program, we agree with PPL in that there is no reason to treat future CAP customers differently than those that were on CAP



on or before June 1, 2017. These customers should return to default service or enroll in the CAP-SOP upon the expiration of their contracts. This serves to protect the integrity of supplier-customer contracts and protects customers from possible early-termination/cancellation fees.

While CAUSE-PA may be correct in that early termination fees are not collectible through utility bills; cannot result in the customer's termination; are not recoverable through the purchase of receivables program; and are not recoverable from ratepayers through rates—the customer still may be held responsible for the payment of the fees and could still face collection actions through other means. We find it unreasonable to adopt a course of action that would expose consumers to such a liability and deliberately expose them to collection enforcement due to actions beyond their control or force them to make a choice between avoiding early termination fees or obtaining the benefits of the consumer assistance program. We find that this resolution provides the most reasonable approach.

Accordingly, we think our proposal concerning fixed-duration contracts as presented in the Tentative Order is reasonable and appropriately balances the interests of the CAP participant, the other residential ratepayers, PPL's administration of this program and EGSs. However, we agree with PPL that it should be clarified further by explicitly stating that the supplier is the entity responsible for returning the customer to default service. Our revised direction on this matter is as follows, with the modified language in bold:

The Commission affirms the position that customers who are on a fixed-duration contract with a supplier and subsequently enrolls in the On-Track program at any time after June 1, 2017, remain with that supplier until the expiration date of the fixed-duration contract or the contract is terminated, whichever occurs first. Once the newly enrolled CAP customer supplier contract expires or is terminated, **the supplier will return the CAP customer to default service. The CAP customer** will have the option to enroll in the CAP-SOP or **remain on** default service, but in any event, will only be able to shop through the CAP-SOP.

Second, concerning those customers on month-to-month contracts, we agree with PPL that having them returned to default service within 120 days after the customer is enrolled in CAP is a reasonable and balanced approach. 120 days provides EGSs with ample time to send notices to the customer regarding the termination of the month-to-month contract and their return to default service. We also concur with PPL's opinion that this proposal is more reasonable than waiting till the customer's CAP recertification date in that it protects the interests of CAP customers and the other residential customers who pay for CAP. We find it significant that CAP customers could potentially continue on a month-to-month contract for up to 18 months before CAP recertification can occur.

We acknowledge the comments of parties including OCA and CAUSE-PA that the notice requirements at 52 Pa. Code § 54.10 apply to "fixed term contracts" and thus are not relevant to customers on "month-to-month" contracts. However, even if we accept this argument, these customers are still supposed to receive notice—notice that are to be described in the customer's disclosure (see 52 Pa. Code § 54.5(c)(7)); and time must be provided to send these notices. Regardless, we do not accept the argument that § 54.10 is not applicable—noting that this rule also applies anytime there is a change in contract

terms. We agree with WGL that the ending of a month-to-month contract is more accurately described as a change in contract terms than an expiration. Admittedly, this situation does not fit neatly into either classification. It is not entirely accurate to describe it as a supplier-initiated drop because the supplier is being forced to drop the customer not as a result of the supplier's deliberate business decision—but as a result of PPL's approved customer assistance program. Nor is this accurately described as a customer-initiated drop; the customer is being forced to leave the supplier, again as a result of PPL's approved customer assistance program.

Accordingly, we agree with WGL that what is occurring in this situation is a change in contract terms not an expiration or termination of the contract per the supplier or the customer's decision—but is instead being changed as a result of PPL's approved customer assistance program tariff. As such, we find that the two notices required by 52 Pa. Code § 54.10 are appropriate and required in this scenario. For these same reasons, we must reject RESA's request that only one notice be required in this situation.

In response to the concerns expressed by OCA and CAUSE-PA that 120 days is too long, we note again that the customer's choice of supplier ultimately rests with the customer. Even if we establish a 120-day return period, there is nothing to prevent a customer from dropping the supplier at any time. Again, it is the customer that can weigh their options—and if they desire to drop back to default service and/or enter the PPL CAP-SOP sooner, they can do that at any time. Furthermore, we note that we are giving suppliers up to 120 days after the customer is enrolled in CAP to provide the two required notices and drop the customer to default service. We find that this 120 day limit establishes a reasonable standard that EGSs can be held accountable for. If an EGS fails to meet this standard, they may face penalties under Chapter 33 of the Public Utility Code.

We agree with RESA's request that we clarify that the 120-day window to drop any EGS customers on a month-to-month contract who are enrolled in CAP on the date of publication of the final order applies without regard for whether the CAP enrollment occurred pre-or post-June 1, 2017. Accordingly, we provide the following direction concerning customers on month-to-month supplier contracts:

Customers who are receiving supply service from an EGS through a month-to-month contract and subsequently becomes CAP-eligible must be dropped by the supplier to PPL default service within 120 days after the customer is enrolled in CAP. The CAP customer will then have the option to enroll in the CAP-SOP or return to default service, but in any event, will only be able to shop through the CAP-SOP.

Customers who are receiving supply service from an EGS through a month-to-month contract and are subsequently enrolled in PPL's CAP either before or after June 1, 2017 and before this Final Order is published in the *Pennsylvania Bulletin*, the supplier must drop that customer to PPL default within 120 days after this Final Order is published in the *Pennsylvania Bulletin*.

Concerning the data made available by the suppliers, we agree with RESA and WGL that there is no need for suppliers to inform PPL of the type of contracts their customers are on. The obligation to drop CAP customers to default service has been placed upon the suppliers—

meaning that PPL has no need for this information. We also agree that sharing this type of information raises customer privacy and confidentiality concerns. There is no compelling need for PPL to have this information that would cause us to intrude on customer confidentiality expectations.

Concerning the data made available by PPL to suppliers concerning the CAP-status of their customers, we acknowledge the changes PPL has made to its web-portal to make this information accessible to suppliers. However, we do share WGL's and RESA's concerns with the reasonableness and effectiveness of requiring all the suppliers to continually check PPL's web-portal and to constantly cross-check customer lists to determine which of their customers has recently enrolled in CAP. We agree with WGL that this will be a time-consuming and labor-intensive process just to identify a limited number of customers who enroll in CAP. We are also concerned that such a procedure could result in these customer's being overlooked or not identified timely. We conclude that a more reasonable approach is for PPL to proactively notify EGSs when an existing EGS customer enrolls in CAP. PPL is the only entity that has direct access to all of the needed information, and as such, is in a position to generate EGS-specific reports about customer enrollments in CAP. This should be accomplished by email from PPL to each EGS on at least a once a month basis, identifying which existing customers of the EGS have enrolled in CAP during the preceding month and indicating the date the customer was enrolled. EGSs would then be obligated to act upon this information per the directions provided in this Final Order.

However, we reject WGL's request that PPL notify suppliers of when a customer is dropped from CAP and thus eligible to choose freely in the competitive market. We assume in this situation that PPL will update the customer's status on the Eligible Customer List (ECL)—assuming the customer has not opted-out of the ECL of course, as well as the web portal. Other than updating the ECL information, which is available to all EGSs, we decline to require separate specific notice to individual EGSs.

#### Conclusion

Upon careful review and consideration of the comments submitted in response to the Tentative Order, we provide the following directions to PPL and suppliers concerning the PPL CAP-SOP program:

The Commission affirms the position that customers who are on a fixed-duration contract with a supplier and subsequently enrolls in the On-Track program at any time after June 1, 2017, remain with that supplier until the expiration date of the fixed-duration contract or the contract is terminated, whichever comes first. Once the newly enrolled CAP customer supplier contract expires or is terminated, the supplier will return the CAP customer to default service. The CAP customer will have the option to enroll in the CAP-SOP or remain on default service, but in any event, will only be able to shop through the CAP-SOP.

Customers who are receiving supply service from an EGS through a month-to-month contract and subsequently becomes CAP-eligible must be dropped by the supplier to PPL default service within 120 days after the customer is enrolled in CAP. The CAP customer will then have the option to enroll in the CAP-SOP or return to default service, but in any event, will only be able to shop through the CAP-SOP.

Customers who are receiving supply service from an EGS through a month-to-month contract and are subsequently enrolled in PPL's CAP either before or after June 1, 2017 and before this Final Order is published in the *Pennsylvania Bulletin*, the supplier must drop that customer to PPL default within 120 days after this Final Order is published in the *Pennsylvania Bulletin*.

PPL Electric Utilities is directed to send an e-mail to each electric generation supplier at least a once a month identifying which existing customers of the electric generation supplier have enrolled in On-Track during the preceding month and indicating the date the customer was enrolled. Electric generation suppliers are to act upon this information per the directions provided in this Final Order.

These directions become effective upon publication of this Final Order in the *Pennsylvania Bulletin*; Therefore,

#### *It Is Ordered That:*

1. Customers who are on a fixed duration contract with a supplier and subsequently enrolls in the On-Track program at any time after June 1, 2017, remain with that supplier until the expiration date of the fixed duration contract or the contract is terminated, whichever comes first. Once the newly enrolled On-Track customer's supplier contract expires or is terminated, the supplier will return the On-Track customer to default service. The On-Track customer will have the option to enroll in the CAP-SOP or remain on default service, but in any event, will only be able to shop through the CAP-SOP.

2. Customers who are receiving supply service from an electric generation supplier through a month-to-month contract and subsequently become On-Track-eligible must be dropped by the electric generation supplier to default service within 120 days after the customer is enrolled in On-Track. The On-Track customer will then have the option to enroll in the CAP-SOP or return to default service, but in any event, will only be able to shop through the CAP-SOP.

3. Customers who are receiving supply service from an electric generation supplier through a month-to-month contract and are subsequently enrolled in PPL's On-Track program either before or after June 1, 2017 and before this Final Order is published in the *Pennsylvania Bulletin*, the electric generation supplier must drop that customer to default service within 120 days after this Final Order is published in the *Pennsylvania Bulletin*.

4. PPL Electric Utilities is directed to send an e-mail to each electric generation supplier at least once a month identifying which existing customers of the electric generation supplier have enrolled in On-Track during the preceding month and indicating the date the customer was enrolled. Electric generation suppliers are to act upon this information per the directions provided in this Final Order.

5. This Final Order be served on all jurisdictional Electric Distribution Companies, all licensed Electric Generation Suppliers, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate and the parties at this Docket No. P-2016-2526627.

6. A copy of this Order be shall be published in the *Pennsylvania Bulletin* and posted on the Commission's website at the Office of Competitive Market Oversight's web page at [http://www.puc.pa.gov/utility\\_industry/electricity/electric\\_competitive\\_market\\_oversight.aspx](http://www.puc.pa.gov/utility_industry/electricity/electric_competitive_market_oversight.aspx).

7. The Office of Competitive Market Oversight shall electronically serve a copy of this Final Order on all persons on the contact list for the Committee Handling Activities for Retail Growth in Electricity.

8. The contact person for technical issues related to this Final Order is Daniel Mumford, 717-783-1957 or dmumford@pa.gov. The contact person for legal issues related to this Final Order is Kriss Brown, 717-787-4518 or kribrown@pa.gov.

ROSEMARY CHIAVETTA,  
*Secretary*

*Statement of Commissioner David W. Sweet*

Before joining my staff as Legal Counsel, Susan Colwell was working in the Office of Administrative Law Judge and worked on this case in her capacity as an Administrative Law Judge. Please note that she has not advised me in this matter.

DAVID W. SWEET,  
*Commissioner*

[Pa.B. Doc. No. 18-315. Filed for public inspection February 23, 2018, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Seeks Comments on Corporate Federal Income Tax Rate Changes and the Effects on Commission-Regulated Public Utilities, Ratepay- ers; M-2018-2641242

On February 12, 2018, the Pennsylvania Public Utility Commission (Commission) issued a Secretarial Letter to establish a docket and begin a proceeding by which the Commission shall seek to determine the effects of the Tax Cuts and Jobs Act (TCJA) (Pub.L. No. 115-97) on the tax liabilities of Commission-regulated public utilities for 2018 and future years and the feasibility of reflecting the impacts in the rates charged to Pennsylvania utility ratepayers.

Under the TCJA, effective January 1, 2018, various provisions of the Tax Reform Act of 1986 have been repealed or amended and one of these modifications is a reduction in the corporate Federal Income Tax (FIT) rate from 35% to 21%. Commission-regulated public utilities are corporations subject to the FIT. The Commission will seek to determine any effects of the TCJA on the tax liabilities of Commission-regulated public utilities for 2018 and future years. Therefore, the Commission has directed that specified utilities provide responses to data requests designed to calculate, among other things, the net effect on income tax expense and rate base as a result of implementation of the TCJA. The Commission has further requested that interested parties submit comments addressing, among other things, whether the Commission should adjust current customer rates to reflect the reduced annual State and Federal income tax expenses of public utilities due to the tax rate changes in the TCJA. Responses to the data requests and comments are due on, or before, March 9, 2018.

The Secretarial Letter and data requests can be found on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) under docket number M-2018-2641242.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 18-316. Filed for public inspection February 23, 2018, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed in the event that there is evidence that the applicant lacks fitness. Please note that protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by March 12, 2018. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

**A-2018-2642920. Medical Transportation Providers, LLC** (104 Diamond Street, 2nd Floor, Philadelphia, PA 19122) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from various points in the City of Philadelphia, solely within city boundaries, for nonemergency medical transit purposes, to points in Pennsylvania, and return.

**A-2018-2644963. Bonnie Lynn Gordon, t/a Waynesboro Cab Co.** (369 Fridinger Avenue, Hagerstown, Washington County, MD 21740) for the right to transport as a common carrier, by motor vehicle, persons in paratransit service, from points in Franklin County, to points in Pennsylvania, and return.

**A-2018-2645424. Pickup Transportation, LLC** (4530 North 13th Street, Philadelphia, PA 19140) in limousine service, between points in the Counties of Berks, Bucks, Chester, Delaware and Montgomery.

**A-2018-2645600. HTC Van, Inc.** (55 Steinwehr Avenue, Gettysburg, Adams County, PA 17325) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in Adams County to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2018-2646122. RCAA Health Services, Inc.** (11603 State Route 61, Mount Carmel, Northumberland County, PA 17851) for the right to begin to transport, as a

common carrier, by motor vehicle, persons in paratransit service from points in Northumberland County to points in Pennsylvania, and return.

**Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.**

**A-2017-2640335. United Taxi Company, LLC** (632 North Jordan Street, Allentown, Lehigh County, PA 18101) for the amended right to transport as a common carrier, by motor vehicle, persons upon call or demand service, between points in the City of Bethlehem, the Borough of Hellertown, the City of Easton, the Borough of Bath, the Borough of Nazareth and the Borough of Northampton, all in Northampton County.

**A-2018-2644555. Integrated Medical Transport, LLC** (322C East Allen Street, Mechanicsburg, Cumberland County, PA 17055) persons in paratransit service from points in the Counties of Adams, Allegheny, Berks, Franklin, Lancaster, Lebanon, Lehigh, Northampton and Schuylkill, to points in Pennsylvania, and return. *Attorney:* Charles E. Thomas, III, 212 Locust Street, Suite 302, Harrisburg, PA 17101.

**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-2017-2634490. Little Driver Chauffeur Services, LLC, t/a Advantage Chauffeur Services** (P.O. Box 253, Macungie, Lehigh County, PA 18062) persons in group and party service, in vehicles seating between 11 and 15 passengers, including the driver, between points in the Counties of Carbon, Chester, Berks, Bucks, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Northumberland, Pike and Schuylkill, and the City and County of Philadelphia.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.**

**A-2018-2645305. Dinges Moving & Storage Co., Inc.** (901 Scotch Valley Road, Holidaysburg, Blair County, PA 16648) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania. *Attorney:* William H. Stewart, III, Vuono & Gray, LLC, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219.

**A-2018-2646625. Sunway Carrier, Inc., t/a Sunway Moving and Storage** (1975 East Sunrise Boulevard, # 802, Fort Lauderdale, FL 33304) household goods in use between points in Pennsylvania.

**Applications of the following for approval to begin operating as contract carriers for transportation of persons as described under each application.**

**A-2017-2619628. Comfort Healthcare Solutions, LLC** (1246 Elson Road, Brookhaven, Delaware County, PA 19015) for Dove Health Care Services, LLC, between points in the County of Northumberland, and from points in the Counties of Allegheny, Chester, Delaware, Lancaster and Philadelphia, to points in Pennsylvania, and return. *Subject to the following condition:* that any service or trip originating in Chester County shall end at a point outside of said county.

**A-2018-2643809. DPD Transport, LLC** (3021 Franks Road, Suite 6, Huntingdon, Montgomery County, PA 19006) for Bensalem Adult Day Care Center, between points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia. *Attorney:* David Temple, 1600 Market Street, Suite 1320, Philadelphia, PA 19103.

**Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2018-2643388. Vesely Brothers Moving & Storage, Inc.** (316 Finley Road, Belle Vernon, Fayette County, PA 15012) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, household goods in use and property, from points in the Counties of Allegheny, Fayette, Washington and Westmoreland, and vice versa, as more thoroughly described in the original ordering paragraphs at A-00102958, F.1 and F.1 Am-A.

**A-2018-2646757. Jason Litigation Support Services, LLC** (211 Moosic Street, Olyphant, Lackawanna County, PA 18447) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Lackawanna, Lehigh, Luzerne (excluding the Township of Salem), Monroe, Northampton, Northumberland (excluding the Borough of Riverside), Philadelphia, Pike and Schuylkill, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 18-317. Filed for public inspection February 23, 2018, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due March 12, 2018, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Kamus Construction Incorporated;**  
**Docket No. C-2017-2638024**

### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement respon-

sibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Kamus Construction Incorporated, (respondent) is under suspension effective December 03, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 57 Walnut Street, Forty-Fort, PA 18704.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 31, 2011, at A-8910368.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8910368 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 12/19/2017

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in

your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Cercone Trucking, Inc.; Docket No. C-2017-2638121**

**COMPLAINT**

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Cercone Trucking, Inc., (respondent) is under suspension effective December 04, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 116 Carlye Drive, Cranberry Township, PA 16066.

3. That respondent was issued a Certificate of Public Convenience by this Commission on April 30, 2014, at A-00118891.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00118891 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**VERIFICATION**

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state

that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 12/19/2017

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

**NOTICE**

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Creekside Transport, LLC; Docket No. C-2018-2642736**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Creekside Transport, LLC, (respondent) is under suspension effective January 05, 2018 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 2810 SR 29S, Monroe Township, PA 18636.
3. That respondent was issued a Certificate of Public Convenience by this Commission on December 27, 2012, at A-8915030.
4. That respondent has failed to maintain evidence of both Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation

and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8915030 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 1/18/2018

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Dependability Co.; Docket No. C-2018-2639873**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Dependability Co., (respondent) is under suspension effective December 13, 2017 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1300 Adams Ave Frnt, Philadelphia, PA 19124-4517.

3. That respondent was issued a Certificate of Public Convenience by this Commission on September 21, 2012, at A-6411324.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-6411324 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
 David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 1/3/2018

David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265



Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. K & D Transfer, LLC; Docket No. C-2018-2642142**

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to K & D Transfer, LLC, (respondent) is under suspension effective December 20, 2017 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 234 Miller Farm Road, Uniontown, PA 15401.
3. That respondent was issued a Certificate of Public Convenience by this Commission on July 06, 2017, at A-8919825.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8919825 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
 David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 1/18/2018

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: [RA-PCCmpltResp@pa.gov](mailto:RA-PCCmpltResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of

insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 18-318. Filed for public inspection February 23, 2018, 9:00 a.m.]

**PENNSYLVANIA PUBLIC  
UTILITY COMMISSION**  
**Telecommunications**

**A-2018-2646752. Verizon North, LLC and Level 3 Communications, LLC.** Joint Petition of Verizon North, LLC and Level 3 Communications, LLC for approval of amendment number 5 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, LLC and Level 3 Communications, LLC, by their counsel, filed on February 9, 2018, at the Public Utility Commission (Commission), a joint petition for approval of amendment number 5 to the 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 Verizon North, LLC and Level 3 Communications, LLC's 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](http://www.puc.pa.gov) and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 18-319. Filed for public inspection February 23, 2018, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Telecommunications

**A-2018-2646735. Verizon Pennsylvania, LLC and Level 3 Communications, LLC.** Joint petition of Verizon Pennsylvania, LLC and Level 3 Communications, LLC for approval of amendment number 6 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, LLC and Level 3 Communications, LLC, by their counsel, filed on February 9, 2018, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of amendment number 6 to the 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 Verizon Pennsylvania, LLC and Level 3 Communications, 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](http://www.puc.pa.gov) and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 18-320. Filed for public inspection February 23, 2018, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Application in the City of Philadelphia

The following permanent authority application to render service as a common carrier in the City of Philadelphia has 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 12, 2018. The nonrefundable protest filing fee is

\$5,000 payable to the PPA by certified check or money order. The application is 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 address of the respective applicant.

**Doc. No. A-18-02-01. SMA Trans, Inc.** (110 Meadowbrook Lane, Brookhaven, PA 19015): An application for a medallion taxicab certificate of public convenience to transport 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.

CLARENA TOLSON,  
*Executive Director*

[Pa.B. Doc. No. 18-321. Filed for public inspection February 23, 2018, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Deidra A. Bates, LPN; File No. 14-51-09834; Doc. No. 1504-51-17

On January 3, 2018, Deidra A. Bates, LPN, license No. PN066847L, last known of Philadelphia, Philadelphia County, was indefinitely suspended and ordered to pay \$525 in costs of investigation, based on her being unable to practice practical nursing with reasonable skill and safety to patients by reason of addiction to alcohol, or addiction to hallucinogenic or narcotic drugs or other drugs which tend to impair judgment or coordination, so long as the dependence shall continue, or she has become mentally incompetent.

Individuals may obtain a copy of the adjudication by writing to Megan E. Castor, Board Counsel, State Board of Nursing, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Nursing (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of appeals is the previously-named Board counsel.

LINDA L. KMETZ, PhD, RN,  
*Chairperson*

[Pa.B. Doc. No. 18-322. Filed for public inspection February 23, 2018, 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>
Shadow Ridge Farm, LLC Phil Good 2418 Bachman Road Lancaster, PA 17602	Lancaster County/ Strasburg Township	620	Layers	New	Approved
Nelson H. Auker 16 Rehrersburg Road Bethel, PA 19507	Berks County/ Tulpehocken Township	24.1	Broiler	New	Approved
Chris Hoover 366 Blackburn Road Quarryville, PA 17566	Lancaster County/ East Drumore Township	63.16	Layers	New	Approved
Joe L. Miller 2651 State Route 642 Milton, PA 17847	Northumberland County/ East Chillisquaque Township	84	Layers	Existing	Rescind

RUSSELL C. REDDING,  
*Chairperson*

[Pa.B. Doc. No. 18-323. Filed for public inspection February 23, 2018, 9:00 a.m.]

**STATE EMPLOYEES'  
RETIREMENT BOARD**

**Hearing Scheduled**

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimant's request concerning the indicated accounts.

The hearing will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

March 14, 2018      Bryan K. Kerekish      1 p.m.  
Pension Forfeiture Issue

Parties in the respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

ANTHONY J. FAIOLA,  
*Acting Secretary*

[Pa.B. Doc. No. 18-324. Filed for public inspection February 23, 2018, 9:00 a.m.]