

# PENNSYLVANIA BULLETIN

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Department of Environmental Protection  
Department Health  
Department of State  
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Independent Regulatory Review Commission  
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State Board of Nursing  
State Board of Vehicle Manufacturers, Dealers  
and Salespersons  
State Ethics Commission

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

**No. 540, November 2019**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

## ***Pennsylvania Code***

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

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

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

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

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

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

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm).

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

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### Printing Format

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

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

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

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

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

*Court Rules in Titles 201—246 of the Pennsylvania Code*

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

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### Fiscal Notes

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

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

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

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## List of Pa. Code Chapters Affected

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

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# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART IV. ADMISSION TO PRACTICE LAW

[ 204 PA. CODE CH. 71 ]

#### Order Amending Rules 341 and 342 of the Pennsylvania Bar Admission Rules; No. 807 Supreme Court Rules Doc.

##### Order

*Per Curiam*

And Now, this 25th day of October, 2019, upon the recommendation of the Board of Law Examiners, the proposal having been submitted without publication in the interests of justice and efficient administration pursuant to Pa.R.J.A. No. 103(a)(3):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 341 and Rule 342 of the Bar Admission Rules are amended in the following forms.

This Order shall be processed in accordance with Pennsylvania Rule of Judicial Administration No. 103(b) and shall be effective immediately.

##### Annex A

#### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART IV. ADMISSION TO PRACTICE LAW

#### CHAPTER 71. PENNSYLVANIA BAR ADMISSION RULES

#### Subchapter C. RESTRICTED PRACTICE OF LAW

#### FOREIGN LEGAL CONSULTANTS

#### Rule 341. Licensing of foreign legal consultants.

\* \* \* \* \*

(b) *Application.* An applicant under this rule shall file with the Board an application in the form prescribed by the Board, which shall be accompanied by:

(1) a certificate from the professional body or public authority in the foreign country having final jurisdiction over professional discipline, certifying as to the applicant's admission to practice and the date thereof, and as to his or her good standing as such attorney or counselor at law or the equivalent;

(2) a letter of recommendation from one of the members of the executive body of such professional body or public authority or from one of the judges of the highest law court or court of original jurisdiction of the foreign country;

(3) a duly authenticated English translation of the certificate and the letter if, in either case, it is not in English;

(4) a statement indicating his or her understanding of, and commitment to observe, the Rules of Professional Conduct and the Enforcement Rules to the extent applicable to the legal services authorized under Rule 342;

(5) appropriate evidence of professional liability insurance, in such amount as the Board may prescribe, to assure his or her proper professional conduct and responsibility;

(6) such other evidence as to the applicant's educational and professional qualifications, good moral character and general fitness, and compliance with the requirements of Subdivision (a) of this Rule as the Board may require;

(7) a written statement agreeing to notify the [ **Secretary of the** ] Disciplinary Board of the Supreme Court of Pennsylvania of any change in the applicant's good standing as a member of the foreign legal profession referred to in Subdivision (a)(1) of this Rule and of any final action of the professional body or public authority referred to in Subdivision (b)(1) of this Rule imposing any disciplinary censure, suspension, or other sanction upon such person; and

(8) a duly acknowledged instrument, in writing, setting forth his or her address in this Commonwealth and designating the [ **Secretary** ] **Executive Director** of the Disciplinary Board of the Supreme Court as his or her agent upon whom process may be served, with like effect as if served personally upon him or her, in any action or proceeding thereafter brought against him or her and arising out of or based upon any legal services rendered or offered to be rendered by him or her within or to residents of this Commonwealth, whenever after due diligence service cannot be made upon him or her at such address or at such new address in this Commonwealth as he or she shall have furnished in the last registration statement filed by him or her in accordance with Enforcement Rule 219(d) (relating to periodic assessment of attorneys), or which has been filed in the Administrative Office by means of a duly acknowledged supplemental instrument in writing.

\* \* \* \* \*

#### Rule 342. Practice by foreign legal consultants.

\* \* \* \* \*

(d) *Service of process.* Service of process on the [ **Secretary** ] **Executive Director** of the Disciplinary Board of the Supreme Court of Pennsylvania, pursuant to the designation filed under Rule 341(b)(8), shall be made by personally delivering to [ **and leaving with the Secretary, or with** ] **the Executive Director, or** a deputy or assistant authorized by him or her to receive such service, at his or her office, duplicate copies of such process together with a fee as set by the Disciplinary Board of the Supreme Court. Service of process shall be complete when the [ **Secretary** ] **Executive Director** of the Disciplinary Board has been so served. The [ **Secretary** ] **Executive Director** of the Disciplinary Board shall promptly send one of such copies to the foreign legal consultant to whom the process is directed, by certified mail, return receipt requested, addressed to the foreign legal consultant at the address specified by him or her as provided in Rule 341(b)(8).

[Pa.B. Doc. No. 19-1668. Filed for public inspection November 8, 2019, 9:00 a.m.]

## Title 252—ALLEGHENY COUNTY RULES

### ALLEGHENY COUNTY

#### Criminal Division Rule of the Court of Common Pleas; No. AD-2019-395-CR Rules Doc.

##### Order of Court

*And Now*, this 18th day of October, 2019, it is hereby *Ordered* that the following Rule 576.1 of the Court of Common Pleas of Allegheny County, Pennsylvania, Criminal Division, adopted by the Board of Judges, shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

Local Rule 576.1. Electronic Filing and Service of Legal Papers.

*By the Court*

KIM BERKELEY CLARK,  
*President Judge*

#### ALLEGHENY COUNTY CRIMINAL DIVISION LOCAL RULE 576.1

#### Rule 576.1. Electronic Filing and Service of Legal Papers.

##### (A) *General Scope and Purpose of the Rule.*

Pursuant to Pennsylvania Rule of Criminal Procedure 576.1, Electronic Filing and Service of Legal Papers, electronic filing of legal papers through the PACFile electronic filing system is permissive in the Fifth Judicial District, as of November 12, 2019. The Administrative Office of Pennsylvania Courts and the Fifth Judicial District have agreed upon an implementation plan for PACFile in Allegheny County.

##### (B) *PACFile.*

(1) The exclusive system for electronic filing in the Criminal Division of the Allegheny County Court of Common Pleas is the PACFile System, developed and administered by the Administrative Office of the Pennsylvania Courts and located on Pennsylvania's Unified Judicial System Web Portal.

(2) Pursuant to Pa.R.Crim.P. 576.1(D)(2), establishment of a PACFile account constitutes consent to participate in electronic filing, including acceptance of service electronically of any document filed on the PACFile system in any judicial district that permits electronic filing.

(3) Any party who declines to participate in the electronic filing system, or who is unable to electronically file or accept service of legal papers which were filed electronically, or who is otherwise unable to access the PACFile system, shall be permitted to file legal papers in a physical paper format and shall be served legal papers in a physical paper format whether electronically filed or otherwise, as required by Pa.R.Crim.P. 576.

##### (C) *Legal Papers.*

(1) "Legal papers" which may be filed electronically shall encompass all written motions, written answers and any notices or documents for which filing is required or permitted, including orders, exhibits and attachments, but excluding:

- (a) applications for search warrants;
- (b) applications for arrest warrants;
- (c) any grand jury materials, except the indicting grand jury indictment or the investigating grand jury presentment;
- (d) submissions filed ex parte as authorized by law,

(e) submissions filed or authorized to be filed under seal, and

(f) Requests for Continuances.

(2) Third party filing of amicus briefs or other third party filings shall not be permitted to be filed electronically.

(3) The applicable general rules of court and court policies that implement the rules shall continue to apply to all filings of legal papers regardless of the method of filing.

(4) Any legal paper submitted for filing to the Department of Court Records, Criminal Division in a physical paper format shall be accepted by the Department of Court Records in that format and shall be retained by the Department of Court Records as may be required by applicable rules of Court and record retention policies. The Department of Court Records shall convert such physical paper to electronic format and add it to the system, except those legal papers excluded from electronic filing pursuant to Pa.R.Crim.P. 576.1(C) and this rule.

(D) *Filing Fees.* Applicable filing fees shall be paid through procedures established by the Department of Court Records and at the same time and in the same amount as required by statute, Court rule or order, or published fee schedule.

(E) *Confidential Information.* Counsel and unrepresented parties must adhere to the Public Access Policy of the Unified Judicial System of Pennsylvania and Allegheny County Local Rules of Judicial Administration 6001.7 and 6001.10 and refrain from including confidential information in legal papers filed with the Department of Court Records or the Court whether filed electronically or in a paper format.

[Pa.B. Doc. No. 19-1669. Filed for public inspection November 8, 2019, 9:00 a.m.]

## Title 252—ALLEGHENY COUNTY RULES

### ALLEGHENY COUNTY

#### Orphans' Court Division Rule of the Court of Common Pleas; No. AD-2019-404-OC Rules Doc.

##### Amended

##### Order of Court

*And Now*, this 23rd day of October, 2019, it is hereby *Ordered* that the following local rules of the Court of Common Pleas of Allegheny County, Pennsylvania, Orphans' Court Division, adopted by the Board of Judges, shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

Guardianship Proceedings  
Local Rule 5.6A  
Local Rule 14.1(c)  
Local Rule 14.2A  
Local Rule 14.14A [Forms] B(1), B(2), C, D, E, F, G.1 and G.2

*By the Court*

KIM BERKELEY CLARK,  
*President Judge*

ALLEGHENY COUNTY COURT OF COMMON PLEAS ORPHANS' COURT DIVISION LOCAL RULES FOR GUARDIANSHIP PROCEEDINGS

Local Rule 5.6A.

All Actions filed under Title 23, Chapter 56 of the Pennsylvania Consolidated Statutes ("Standby and Temporary Guardianship Act") which seek the appointment of a temporary or standby guardian shall be filed with the Clerk of the Orphans' Court Division.

Local Rule 14.1(c).

Petitions filed under Section 5536 of the Guardianship Act of 1992 (20 Pa.C.S. § 5536) ("Section 5536 Petition") shall be filed with the Clerk of the Orphans' Court at the Department of Court Records, Orphans' Court Division. A Section 5536 Petition shall not be presented at Motions Court.

A Section 5536 Petition shall set forth:

- (a) the name of the guardian and the date of the guardian's appointment;
(i) If the guardian is not the petitioner, the petition shall set forth the name and address of the petitioner, and the petitioner's relationship to the incapacitated person.
(b) the current address of the incapacitated person, the nature of their current residence, and the level of care they are receiving;
(c) the nature and present value of the incapacitated person's estate and the incapacitated person's annual income;
(d) a list of all of the incapacitated person's ongoing expenses and the claims of any creditors, including the name and address of the creditor, the basis and amount of the claim;
(e) a list of all previous allowances approved by the court;

- (f) a list of any distributions of principal that were made without court approval or that are awaiting court approval;
(g) itemized statements supporting any professional fees which are requested to be paid;
(h) a proposed Order of Court granting the relief requested; and
(i) The cover sheet of any 5536 petition shall include the notice provision set forth in Pa. O.C. Rule 3.5(b)(1).

Local Rule 14.2A.

A petition seeking guardianship of an adult person shall include a proposed Preliminary Order in the form set forth in the Forms provided in Local Rule 14.14A. A petitioner may request additional relief in addition to that set forth in the Preliminary Order form by setting forth the proposed relief in a separate paragraph or paragraphs at the end of the Preliminary Order form.

Local Rule 14.14A. [ Forms ]

- Form B(1)—Preliminary Order of Court (Non-Emergency Guardian).
Form B(2)—Preliminary Order of Court (Emergency and Permanent Guardian).
Form C—Final Order of Court Determining Partial Incapacity and Appointing Limited Permanent Guardian of the Person or Estate or Both.
Form D—Final Order of Court Determining Incapacity and Appointing Plenary Guardian of the Person or Estate or Both.
Form E—Order of Court Determining Incapacity and Appointing Emergency Limited Guardian of the Person or Estate or Both.
Form F—Order of Court Determining Incapacity and Appointing Emergency Plenary Guardian of the Person or Estate or Both.
Form G.1—Statement of Rights.
Form G.2—Order of Court Appointing Successor Guardian of the Person or Estate or Both.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA ORPHANS' COURT DIVISION

IN RE: )
) No.
)
\_\_\_\_\_ )
an alleged incapacitated person )

PRELIMINARY ORDER OF COURT (Non-Emergency Guardian)

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, upon consideration of the foregoing Petition, it is ORDERED AND DECREED that a Citation be awarded directed to \* \_\_\_\_\_ to show cause why a plenary/limited permanent guardian of his/her person and estate should not be appointed, returnable \_\_\_\_\_, and why he/she should not be adjudged an incapacitated person and a permanent plenary/limited guardian of his/her person and estate should not be appointed returnable \_\_\_\_\_.

The time and place of hearing on the Petition for appointment of a permanent plenary guardian of the person and estate of the alleged incapacitated person are fixed for the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ m. prevailing time, at which time a hearing on the Petition for Appointment of a Plenary Guardian of the Person and Estate of the Alleged Incapacitated Person will be held in the Orphans' Court Division of the Court of Common Pleas of Allegheny County, 17th Floor, Frick Building, 437 Grant Street, Pittsburgh Pennsylvania 15219.

At least twenty (20) days written notice of the hearing shall be given to \* \_\_\_\_\_, the alleged incapacitated person, by serving \*him/her personally with a Citation, and a copy of this Order of Court and a copy of the foregoing Petition, together with an explanation of the content and terms of the Petition; at least twenty (20) days

\* Sections denoted by asterisk (\*) must be completed by counsel before Court presentation.

written notice of the Petition and hearing shall also be given either personally or by registered or certified mail to the next of kin and other parties in interest named in the Petition including the United States Department of Veterans' Affairs, V.A. Regional Office (271), Attention: Chief, Fiduciary Unit, 1000 Liberty Avenue, Pittsburgh, PA 15222, if the Alleged Incapacitated Person is receiving benefits from the United States Veterans' Administration.

PER CURIAM:

\_\_\_\_\_, J.

**APPENDIX B-2 Preliminary Order awarding a Citation for Emergency and Permanent Guardian under Rule 14, Section 2(a) and 6(a)**

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION**

IN RE: \_\_\_\_\_ )  
 ) No.  
 )  
an alleged incapacitated person )

**PRELIMINARY ORDER OF COURT  
(EMERGENCY AND PERMANENT GUARDIAN)**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, the foregoing Petition having been presented in open Court, upon consideration thereof, it is ORDERED and DECREED that a Citation be awarded, directed to \* \_\_\_\_\_ to show cause why an emergency plenary/limited guardian of \*his/her person and estate should not be appointed, returnable \_\_\_\_\_, \_\_\_\_\_, and why \*he/she should not be adjudged an incapacitated person and a permanent \*plenary/limited guardian of his/her person and estate should not be appointed returnable \_\_\_\_\_, \_\_\_\_\_.

The time and place of the hearing on the Petition for appointment of an emergency \*plenary/limited guardian of the person and estate of the alleged incapacitated person are fixed for \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ .M. in the Orphans' Court Division, 17th Floor, Frick Building, 437 Grant Street, Pittsburgh, PA 15219.

The alleged incapacitated person shall be given notice of the hearing on appointment of an emergency guardian of \*his/her person and estate by serving \*him/her personally with the Citation, a copy of this Order of Court and a copy of the foregoing Petition prior to the time of such emergency hearing [(or) the Court finds that service of notice of appointment of an emergency guardian upon the alleged incapacitated person is not feasible under the circumstances and is, therefore, waived pursuant to 20 Pa.C.S.A. 5513.]

The Court finds that the following additional notice to others of the hearing on the appointment of an emergency guardian of the alleged incapacitated person is feasible in the circumstances and directs that same be made upon the following persons in the following manner \_\_\_\_\_ .

The Court finds that strict compliance with 20 Pa.C.S.A. 5511(e) (relating to contents of the Petition) are not feasible under the circumstances and are waived for the purpose of the hearing on appointment of an emergency guardian of the alleged incapacitated person.

The Court further finds that strict compliance with 20 Pa.C.S.A. 5511(a) (relating to notification concerning the right to counsel and the appointment of counsel for the alleged incapacitated person) are not feasible under the circumstances and are waived for the purpose of the hearing on appointment of an emergency guardian of the alleged incapacitated person.

The time and place of the hearing on the Petition for appointment of a permanent \*plenary/limited guardian of the person and estate of the alleged incapacitated person are fixed for \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_ .M., prevailing time, in the Orphans' Court Division, 17th Floor, Frick Building, 437 Grant Street, Pittsburgh, PA 15219.

At least twenty (20) days written notice of the hearing on appointment of a permanent guardian of his/her person and estate shall be given to \* \_\_\_\_\_, the alleged incapacitated person, by serving \*him/her personally with a copy of the Petition, the Citation and a copy of this Order of Court, together with an explanation of their contents and terms of the Petition. Additionally, at least \_\_\_\_\_ days written notice of the Petition and hearing on the appointment of a permanent guardian shall also be given either personally or by registered or certified mail to the following: all persons residing within the Commonwealth of Pennsylvania who are sui juris and would be entitled to share in the estate of the alleged incapacitated person if \*he/she were to die intestate; to the person or institution providing residential services to the alleged incapacitated person; to the United States Department of Veterans' Affairs V.A. Regional Office (271), Attention: Chief, Fiduciary Unit, 1000 Liberty Avenue, Pittsburgh, PA 15222, if the alleged incapacitated person is receiving benefits from the United States Veterans' Administration, and to the following other parties in interest: \_\_\_\_\_ .

PER CURIAM:

\_\_\_\_\_, J.

\* Sections marked by an asterisk (\*) must be completed by counsel before Court presentation.

Appendix C

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION

IN RE:

No.

An alleged incapacitated person

FINAL ORDER OF COURT DETERMINING PARTIAL INCAPACITY AND
APPOINTING LIMITED PERMANENT GUARDIAN OF PERSON AND/OR ESTATE

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, a hearing having been held on \_\_\_\_\_, and it appearing to the Court that \_\_\_\_\_ was served with a Citation and Notice of this hearing on \_\_\_\_\_ and was present at the hearing (or) the Court finds that the physical or mental condition of \_\_\_\_\_ would be harmed by his/her presence at the hearing, and further finds from the testimony:

- 1. That \_\_\_\_\_ suffers from \_\_\_\_\_, a condition or disability which partially impairs his/her capacity to receive and evaluate information effectively and to make and communicate decisions concerning his/her management of financial affairs or to meet essential requirements to his/her physical health and safety.
2. That there are insufficient supports available to assist \_\_\_\_\_ in overcoming such limitations and that there exists no less restrictive alternative mechanism for decision making than the appointment of a limited Guardian.
3. That based on the partial incapacity of \_\_\_\_\_ to receive and evaluate information and to make or communicate decisions, a limited Guardian of the Person and a limited Guardian of the Estate are required on a permanent basis.

NOW, THEREFORE, based on the clear and convincing evidence supporting the foregoing findings, it is ORDERED, ADJUDGED and DECREED that \_\_\_\_\_ be and is hereby adjudged a partially incapacitated person and \_\_\_\_\_ is appointed Limited Permanent Guardian of the Person and \_\_\_\_\_ is appointed Limited Permanent Guardian of the Estate. The Limited Guardian of the Person shall have full authority to consent to the general care, maintenance and custody of \_\_\_\_\_, except as follows: \_\_\_\_\_.

The Guardian shall assure that \_\_\_\_\_ receives appropriate services and shall assist him/her in developing self-reliance and independence.

The Limited Guardian of the Estate shall have the authority to marshal all of \_\_\_\_\_'s income and assets except that \_\_\_\_\_, the incapacitated person, shall retain the following power and authority to act on his/her own behalf: \_\_\_\_\_.

If there is a safe deposit box in the name of the incapacitated person alone or in the names of the incapacitated person and another or others, said safe deposit box shall not be entered by the Guardian except in the presence of a representative of the financial institution where the box is located or in the presence of a representative of the Orphans' Court Division. The representative present at the time of entry shall make or cause to be made a record of the incapacitated person's property, and said record shall be filed with the Clerk of the Orphans' Court Division. None of the incapacitated person's property may be removed until after the aforesaid inventory is completed. The representative shall be reimbursed for all expenses incurred payable from the estate of the incapacitated person.

If the safe deposit box is jointly owned, the Guardian shall give five (5) days notice of the proposed entry to the other owners.

An Inventory must be filed within ninety (90) days. A report by the Guardian of the Person and Estate shall be filed within \_\_\_\_\_ days and annually thereafter.

Within sixty (60) days of the death of the incapacitated person or an adjudication of capacity and modification of existing orders, the Guardian of the Estate shall file a final accounting.

The Guardian of the Estate shall present a Surety Bond in the amount of \_\_\_\_\_ for approval within five (5) days of the date of this Order.

\_\_\_\_\_, an incapacitated person, has the right to appeal this Order of Court by filing a Notice of Appeal with the Clerk of the Orphans' Court Division within thirty (30) days of the date of this Order. At any time, the incapacitated person or any other interested party may petition this Court for a hearing to review, modify or terminate the adjudication of incapacity and guardianship herein established.

If \_\_\_\_\_ was not present at the hearing on the appointment of a guardian, then the petitioner shall serve upon and read to \_\_\_\_\_ the Statement of Rights, a copy of which is attached to this Order and marked as Exhibit "A" and shall file proof of such service with this Court within ten (10) days.

BY THE COURT:

\_\_\_\_\_ J.

Appendix D

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

IN RE:

No.

\_\_\_\_\_   
 An alleged incapacitated person

FINAL ORDER OF COURT DETERMINING INCAPACITY  
AND APPOINTING PLENARY GUARDIAN OF THE PERSON AND/OR ESTATE

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, a hearing having been held on \_\_\_\_\_, and it appearing to the Court that \_\_\_\_\_ was served with a Citation and Notice of this hearing on \_\_\_\_\_ and was present at the hearing (or) the Court finds that the physical or mental condition of \_\_\_\_\_ would be harmed by his/her presence at the hearing, and further finds from the testimony:

1. That \_\_\_\_\_ suffers from \_\_\_\_\_, a condition or disability which totally impairs his/her capacity to receive and evaluate information effectively and to make and communicate decisions concerning his/her management of financial affairs or to meet essential requirements to his/her physical health and safety.
2. That there are insufficient supports available to assist \_\_\_\_\_ in overcoming such limitations and that there exists no less restrictive alternative mechanism for decision making other than the appointment of a plenary Guardian.
3. That based on the total incapacity of \_\_\_\_\_ to receive and evaluate information and to make or communicate decisions, a Plenary Guardian of the Person and a Plenary Guardian of the Estate are required on a permanent basis.

NOW, THEREFORE, based on the clear and convincing evidence supporting the foregoing findings, it is ORDERED, ADJUDGED and DECREED that \_\_\_\_\_ be and is hereby adjudged an incapacitated person and \_\_\_\_\_ is appointed Permanent Plenary Guardian of the Person and \_\_\_\_\_ is appointed Permanent Plenary Guardian of the Estate.

The Permanent Plenary Guardian of the Person shall have authority to consent to the general care, maintenance and custody of \_\_\_\_\_, without exception.

The Permanent Plenary Guardian of the Person shall assure that \_\_\_\_\_ receives appropriate services and shall assist him/her in developing self-reliance and independence.

The Permanent Plenary Guardian of the Estate shall have the authority to marshal all of \_\_\_\_\_'s income and assets, pay his/her bills and manage his/her financial affairs as fully as \_\_\_\_\_ could do so himself/herself if he/she had not been adjudged incapacitated.

If there is a safe deposit box in the name of the incapacitated person alone or in the names of the incapacitated person and another or others, said safe deposit box shall not be entered by the Guardian except in the presence of a representative of the financial institution where the box is located or in the presence of a representative of the Orphans' Court Division. The representative present at the time of entry shall make or cause to be made a record of the incapacitated person's property, and said record shall be filed with the Clerk of the Orphans' Court Division. None of the incapacitated person's property may be removed until after the aforesaid inventory is completed. The representative shall be reimbursed for all expenses incurred payable from the estate of the incapacitated person.

If the safe deposit box is jointly owned, five (5) days notice of the proposed entry shall be given to the other owners by the Guardian.

An Inventory must be filed no later than \_\_\_\_\_. A report by the Guardian of the Person and Estate shall be filed by \_\_\_\_\_ and annually thereafter.

Within sixty (60) days of the death of the incapacitated person or an adjudication of capacity and modification of existing orders, the Guardian of the Estate shall file a final report with the Court in the form prescribed for accounts and shall cover the period from the date of the appointment of the Guardian of the Estate to the date of death of the incapacitated person or the adjudication of capacity.

A Surety Bond in the amount of \_\_\_\_\_ shall be presented for approval by the Guardian of the Estate within five (5) days of the date of this Order.

\_\_\_\_\_, an incapacitated person, has the right to appeal this Order of Court by filing a Notice of Appeal with the Clerk of the Orphans' Court Division within thirty (30) days of the date of this Order. At any time the incapacitated person or any other interested party may petition this Court for a hearing to review, modify or terminate the adjudication of incapacity and guardianship herein established.

If \_\_\_\_\_ was not present at this hearing on appointment of a guardian, then the petitioner shall serve upon and read to \_\_\_\_\_ the Statement of Rights, a copy of which is attached to this Order and marked as Exhibit "A," and file proof of such service with this Court within ten (10) days.

PER CURIAM:

\_\_\_\_\_ J.

Appendix E

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION

IN RE:

No.

\_\_\_\_\_  
An alleged incapacitated person

ORDER OF COURT DETERMINING INCAPACITY AND APPOINTING EMERGENCY  
LIMITED GUARDIAN OF PERSON AND/OR ESTATE

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, a hearing in this case having been held on \_\_\_\_\_, \_\_\_\_\_ and it appearing to the Court that \_\_\_\_\_ was served with a Notice of this hearing on \_\_\_\_\_, \_\_\_\_\_ and was present at the hearing (or) the Court finds that the physical or mental condition of \_\_\_\_\_ would be harmed by his/her presence at the hearing, and further finds from the testimony:

1. That \_\_\_\_\_ suffers from \_\_\_\_\_, a condition or disability which partially impairs his/her capacity to receive and evaluate information effectively and to make and communicate decisions concerning his/her management of financial affairs or to meet essential requirements of his/her physical health and safety.
2. That there is insufficient support available to assist \_\_\_\_\_ in overcoming such limitations and that there exists no less restrictive alternative mechanism for decisions making other than the appointment of a Limited Guardian.
3. That based on the partial incapacity of \_\_\_\_\_ to receive and evaluate information effectively, and to make or communicate decisions, a Limited Guardian of the Person and a Limited Guardian of the Estate are required on an emergency basis.

NOW THEREFORE, based on the clear and convincing evidence supporting the foregoing findings, it is ORDERED, ADJUDGED and DECREED that \_\_\_\_\_ be and hereby is adjudged a partially incapacitated person. \_\_\_\_\_ is appointed Emergency Limited Guardian of the Person of \_\_\_\_\_ and \_\_\_\_\_ is appointed Emergency Limited Guardian of the Estate of \_\_\_\_\_.

The Emergency Limited Guardian of the Person shall have authority to consent to the general care, maintenance and custody of \_\_\_\_\_ with the exception of: \_\_\_\_\_.

The Emergency Limited Guardian of the Person shall assure that \_\_\_\_\_ receives appropriate services and shall assist him/her in developing self-reliance and independence.

The Emergency Limited Guardian of the Estate shall have authority to marshal all of \_\_\_\_\_'s income and assets except that \_\_\_\_\_, the incapacitated person, shall retain the following power and authority to act on his/her own behalf regarding his/her estate: \_\_\_\_\_.

If there is a safe deposit box in the name of the incapacitated person alone or in the names of the incapacitated person and another or others, said safe deposit box shall not be entered by the guardian except in the presence of a representative of the financial institution where the box is located or in the presence of a representative of the Orphans' Court Division. The representative present at the time of entry shall make or cause to be made a record of the incapacitated person's property, and said record shall be filed with the Clerk of the Orphans' Court Division. None of the incapacitated person's property may be removed until after the aforesaid inventory is completed. The representative shall be reimbursed for all expenses incurred payable from the estate of the incapacitated person.

If the safe deposit box is jointly owned, five (5) days notice of the proposed entry shall be given to the other owners by the guardian.

THERE IS NO BOND REQUIRED ON THE EMERGENCY LIMITED GUARDIAN.

\_\_\_\_\_, an incapacitated person, has the right to appeal this Order of Court by filing a Notice of Appeal with the Clerk of the Orphans' Court Division within thirty (30) days of the date of this Order. At any time, the incapacitated person or any other interested party may petition this Court for a hearing to review, modify or terminate the adjudication of incapacity and guardianship herein established.

If \_\_\_\_\_ was not present at this hearing on the appointment of a guardian, then the petitioner shall serve upon and read to \_\_\_\_\_ the Statement of Rights, a copy of which is attached to this Order and marked as Exhibit "A" and file proof of such service with this Court within ten (10) days.

PER CURIAM:

\_\_\_\_\_, J.

**Appendix F**

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION**

IN RE:

No.

\_\_\_\_\_  
An alleged incapacitated person

**ORDER OF COURT DETERMINING INCAPACITY  
AND APPOINTING EMERGENCY  
PLENARY GUARDIAN OF THE PERSON AND ESTATE**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, a hearing having been held on \_\_\_\_\_, and it appearing to the Court that \_\_\_\_\_ was served with a Citation and Notice of this hearing on \_\_\_\_\_ and was present at the hearing (or) the Court finds that the physical or mental condition of \_\_\_\_\_ would be harmed by his/her presence at the hearing and further finds from the testimony:

1. That \_\_\_\_\_ suffers from \_\_\_\_\_, a condition or disability which totally impairs his/her capacity to receive and evaluate information effectively and to make and communicate decisions concerning his/her management of financial affairs or to meet essential requirements to his/her physical health and safety.
2. That there are insufficient supports available to assist \_\_\_\_\_ in overcoming such limitations and that there exists no less restrictive alternative mechanism for decision making than the appointment of an Emergency Plenary Guardian.
3. That based on the total incapacity of \_\_\_\_\_ to receive and evaluate information and to make or communicate decisions, an Emergency Plenary Guardian of the Person and an Emergency Plenary Guardian of the Estate are required on an emergency basis.

NOW, THEREFORE, based on the clear and convincing evidence supporting the foregoing findings, it is ORDERED, ADJUDGED and DECREED that \_\_\_\_\_ be and is hereby adjudged an incapacitated person. \_\_\_\_\_ is appointed Emergency Plenary Guardian of the Person and \_\_\_\_\_ is appointed Emergency Plenary Guardian of the Estate.

The Emergency Plenary Guardian of the Person shall have authority to consent to the general care, maintenance and custody of \_\_\_\_\_, without exception.

The Emergency Plenary Guardian of the Person shall assure that \_\_\_\_\_ receives appropriate services and shall assist him/her in developing self-reliance and independence.

The Emergency Plenary Guardian of the Estate shall have the authority to marshal all of \_\_\_\_\_'s income and assets, pay his/her bills and manage his/her financial affairs as fully as \_\_\_\_\_ could do so himself/herself if he/she had not been adjudged incapacitated.

If there is a safe deposit box in the name of the incapacitated person alone or in the names of the incapacitated person and another or others, said safe deposit box shall not be entered by the Guardian except in the presence of a representative of the financial institution where the box is located or in the presence of a representative of the Orphans' Court Division. The representative present at the time of entry shall make or cause to be made a record of the incapacitated person's property, and said record shall be filed with the Clerk of the Orphans' Court Division. None of the incapacitated person's property may be removed until after the aforesaid inventory is completed. The representative shall be reimbursed for all expenses incurred payable from the estate of the incapacitated person.

If the safe deposit box is jointly owned, five (5) days notice of the proposed entry shall be given to the other owners by the Guardian.

The appointment of the Emergency Plenary Guardian of the Person and Estate shall remain in effect until further Order of Court.

Bond is waived pending confirmation of asset information.

\_\_\_\_\_, an incapacitated person, has the right to appeal this Order of Court by filing a Notice of Appeal with the Clerk of the Orphans' Court Division within thirty (30) days of the date of this Order. At any time, the incapacitated person or any other interested party may petition this Court for a hearing to review, modify or terminate the adjudication of incapacity and guardianship herein established.



If \_\_\_\_\_ was not present at this hearing on the appointment of a guardian, then the petitioner shall serve upon and read to \_\_\_\_\_ the Statement of Rights, a copy of which is attached to this Order of Court and marked as Exhibit "A" and file proof of such service with this Court within ten (10) days of the date of this Order.

PER CURIAM:

\_\_\_\_\_, J.

**STATEMENT OF RIGHTS**

An order has been entered by a Judge of the Court of Common Pleas of Allegheny County, Orphans' Court Division, whereby you have been adjudicated an incapacitated person and unable to care for yourself and/or manage your personal affairs. You have the right to file an appeal within thirty (30) days of the date of the court's order with the Superior Court.

In addition, you may petition the court at any future time to modify or to terminate the guardianship if there is a change in your capacity or if your guardian fails to perform his/her duties in accordance with the court's order.

If you wish to appeal the order or to petition the court to modify or terminate the guardianship, you are entitled to be represented by an attorney. If you do not have an attorney, the court may appoint one to represent you. If you cannot afford an attorney, the services of an attorney whom the court may appoint for you will be provided at no cost to you.

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION**

IN RE: \_\_\_\_\_  
AN INCAPACITATED PERSON

CASE NO. \_\_\_\_\_

ORDER OF COURT APPOINTING  
SUCCESSOR GUARDIAN(S) OF THE  
PERSON AND ESTATE

Copy to:

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION**

IN RE: \_\_\_\_\_  
AN INCAPACITATED PERSON

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

**ORDER OF COURT APPOINTING SUCCESSOR GUARDIAN(S)**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, it is Ordered as follows:

1. A Petition was filed seeking the appointment of a successor guardian. Notice was provided to the incapacitated person and all interested parties.

2. A hearing was held on the following date: \_\_\_\_\_. OR  
No hearing was held at this time, as the Court found from the record that a hearing was not required.

3. The Court finds that the incapacitated person continues to need a guardian, of the type previously appointed (specify: plenary or limited, of the person and/or of the estate).

4. The current guardian, \_\_\_\_\_, is relieved of their duties. They shall file an accounting within sixty (60) days, with copies to be provided to all counsel of record and the successor guardian.

5. \_\_\_\_\_ is hereby appointed as the successor plenary/limited guardian of the person and/or estate.

6. The successor guardian shall file annual reports using the forms provided by the Court.

7. The successor guardian is subject to the same conditions as the original guardian, and the successor guardian is responsible for reviewing all prior Court docket entries and Court Orders to be aware of their responsibilities and the history of the case.

8. The successor guardian shall obtain a bond in the following amount and provide proof thereof to the Court's Guardianship Department prior to having access to any of the incapacitated person's funds. Bond amount:

9. The successor guardian shall be responsible to insure that the incapacitated person participates to the greatest extent possible in all matters affecting the incapacitated person's day to day and ongoing personal and financial affairs.

10. The successor guardian of the estate shall not expend or transfer any of the incapacitated person's funds without obtaining the prior permission of the Court by way of petition and Court Order.

BY THE COURT:

\_\_\_\_\_, J.

[Pa.B. Doc. No. 19-1670. Filed for public inspection November 8, 2019, 9:00 a.m.]

## Title 255—LOCAL COURT RULES

### CLINTON COUNTY

#### Crime Victim's Compensation Fund, Victim Witness Services; No. AD-4-2018

##### Order

*And Now*, this 8th day of October, 2019, this Court previously having entered an Order on November 15, 2018 approving an increase in the assessment of the Crime Victim's Compensation Fund and the Victim Witness Services Fund to a total of One Hundred and 00/100 (\$100.00) Dollars unless otherwise ordered by the Court; however, said Order not being appropriately distributed nor published in the *Pennsylvania Bulletin*, *It Is Hereby Ordered* as follows:

1. This cost shall be imposed at both the Magisterial District Courts and the Court of Common Pleas of this Judicial District notwithstanding any statutory provision to the contrary.

2. Pursuant to 18 P.S. § 11.1101(b), disposition of this assessment shall be as follows:

(a) Thirty-five and 00/100 (\$35.00) Dollars of the costs imposed where a defendant has pled guilty or nolo contendere, or was placed in a diversionary program, plus 30% of the costs imposed which exceed Sixty and 00/100 (\$60.00) Dollars (i.e. a total of Forty-seven and 00/100 (\$47.00) Dollars) shall be paid into the Crime Victim's Compensation Fund;

(b) Twenty-five and 00/100 (\$25.00) Dollars of the costs imposed where a defendant has pled guilty or nolo contendere, or was placed in a diversionary program, plus 70% of the costs imposed which exceed Sixty and 00/100 (\$60.00) Dollars (i.e. a total of Fifty-three and 00/100 (\$53.00) Dollars) shall be paid into the Victim Witness Services Fund; and

(c) The costs paid under Paragraph 2(b) of this Order that exceed Sixty and 00/100 (\$60.00) Dollars shall be returned by the Pennsylvania Commission on Crime and Delinquency to the Court of Common Pleas of Clinton County for Victim Witness Services.

3. This Administrative Order shall be effective thirty (30) days after the date of publication thereof in the *Pennsylvania Bulletin*, and shall govern all matters.

4. The Judicial Law Clerk in accordance with Pa.R.Crim.P. 105 shall:

1. File one (1) copy of this Order and Statement of Policy with the Administrative Office of Pennsylvania (AOPC) via email to [adminrules@pacourts.us](mailto:adminrules@pacourts.us).

2. File with the Legislative Bureau for publication in *The Pennsylvania Bulletin*.

3. Publish a copy of this Administrative Order and Statement of Policy on the Clinton County Court website.

*By the Court*

CRAIG P. MILLER,  
*President Judge*

[Pa.B. Doc. No. 19-1671. Filed for public inspection November 8, 2019, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending October 29, 2019.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file comments in writing with the Department of Banking and Securities, Bank Supervision or Credit Union and Trust Supervision (as applicable), 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, for banks (717) 783-8240 and for credit unions and trust companies (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department’s Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
10-23-2019	1st Summit Bank Johnstown Cambria County	4510 William Penn Highway Murrysville Westmoreland	Filed

### CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 19-1672. Filed for public inspection November 8, 2019, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications.

*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>
PA0065480 (Stormwater)	FedEx Freight, Inc.— ALT 360 Stoke Park Road Bethlehem, PA 18017	Northampton County Hanover Township	Unnamed Tributary to Monocacy Creek (HQ-CWF, MF) (2-C)	Yes
PA0061719 (Sewage)	Aqua Pennsylvania Wastewater, Inc. Pinecrest WWTP Tamaqua Lake Road Pocono Pines, PA 18350	Monroe County Tobyhanna Township	Beaver Creek (HQ-CWF, MF) (2-A)	Yes
PA0062103 (Sewage)	Springbrook Township Sewer Authority WWTP Green Run Road Roaring Brook Twp., PA 18444	Lackawanna County Roaring Brook Township	Green Run (HQ-CWF/MF) (5-A)	Yes
PA0060283 (Sewage)	Penn Estates 570 Hallet Road East Stroudsburg, PA 18301	Monroe County Stroud Township	Unnamed Tributary of Brodhead Creek (HQ-CWF) (1-E)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0085243— SEW	Manns Choice Harrison Township STP 101 Chestnut Street Manns Choice, PA 15550	Bedford County/ Harrison Township	Raystown Branch Juniata River 11-C	N
PA0084522— IW	Allentown Refrigerated Terminals, Inc. 125 Seneca Trl Boyertown, PA 19512-8661	Berks County/ Colebrookdale Township	Manatawny— French Creeks 03D	N

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0111929 (Sewage)	Lawrenceville Borough Wastewater Treatment Plant 6 Mechanic Street Lawrenceville, PA 16929-9768	Tioga County Lawrenceville Borough	Tioga River (WWF) (4-A)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0216500 (Industrial)	Beaver Groundwater Remediation 20 Stanwix Street # 10 Pittsburgh, PA 15222	Beaver County Vanport Township	Ohio River (WWF) (20-G)	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.*

**PA0245135**, Sewage, SIC Code 4952, **Pinkavivh Ed**, 1448 South Old Bethlehem Pike, Quakertown, PA 18951. Facility Name: 2003 Old Bethlehem Pike. This proposed facility is located in East Rockhill Township, **Bucks County**.

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

The receiving stream(s) Threemile Run (TSF, MF), is located in State Water Plan watershed 2-D and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0006 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

**PA0244902 A-1**. Storm Water, SIC Code 4953, **Waste Management of PA Inc.**, 1000 New Ford Mill Road, Morrisville, PA 19067. Facility Name: Waste Management of PA—Tullytown Facility. This facility is located in Tullytown Borough, **Bucks County**.

Description of Proposed Activity: The application is for an amendment of NPDES permit for discharge of industrial stormwater.

The NPDES permit was issued on October 26, 2017. This permit amendment replaces Other Requirement No. VII "Seepage Management Plan" on page 36 of the NPDES permit with language under the title "Control and Sampling Requirements for Leachate Impacted Stormwater Basins." Sampling frequency for Total Tritium is revised from monthly to quarterly in the permit amendment. This permit amendment also revises language for section F under Other Requirement No. V on page 35 of the NPDES permit.

The receiving stream(s), Martins Creek, Manor Lake, Van Sciver Lake and Delaware River, is located in State Water Plan watershed 2-E 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 Outfalls 001, 002, 003, 004, 005, 006, 008, 009, and 010 are:

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	Report	Report	XXX
Carbonaceous Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Barium, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Cyanide, 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
Magnesium, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Magnesium, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Silver, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Tritium, Total (pCi/L)	XXX	XXX	XXX	Report	Report	XXX
1,4-Dioxane	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	Report	Report	XXX

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

- Benchmark value for some parameters
- BMPs requirements
- Types of stormwater that can be discharged through outfalls

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.

**PA0244929 A-1**, Storm Water, SIC Code 4953, **Waste Management of PA Inc.**, 1000 New Ford Mill Road, Morrisville, PA 19067. Facility Name: Waste Management of PA—Bordentown Road Facility. This existing facility is located in Falls Township, **Bucks County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of Industrial Stormwater. The NPDES permit was issued on December 19, 2017. This permit amendment replaces Other Requirement No. VII “Seepage Management Plan” on page 22 of NPDES permit with language under the title “Control and Sampling Requirements for Leachate Impacted Stormwater Basins.” Also, monitoring frequency for all parameters with Benchmark Values is revised from monthly to quarterly.

The receiving stream(s), Unnamed Tributary to Delaware River (WWF, MF) and is located in State Water Plan watershed 2-E 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 Outfalls 001 and 002 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Quarterly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	Report	Report	XXX
Carbonaceous Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	Report	XXX

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Quarterly	Daily Maximum	
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Arsenic, Total	XXX	XXX	XXX	Report	Report	XXX
Barium, Total	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total	XXX	XXX	XXX	Report	Report	XXX
Chromium, Total	XXX	XXX	XXX	Report	Report	XXX
Cyanide, 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
Magnesium, Dissolved	XXX	XXX	XXX	Report	Report	XXX
Magnesium, Total	XXX	XXX	XXX	Report	Report	XXX
Mercury, Total	XXX	XXX	XXX	Report	Report	XXX
Selenium, Total	XXX	XXX	XXX	Report	Report	XXX
Silver, Total	XXX	XXX	XXX	Report	Report	XXX
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Tritium, Total (pCi/L)	XXX	XXX	XXX	Report	Report	XXX
1,4-Dioxane	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX
Bromide	XXX	XXX	XXX	Report	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	Report	Report	XXX

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

- Benchmark value for some parameters
- BMPs for Landfill
- Types of stormwater that can be discharged from the outfalls.

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.

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

**PA0008231**, Industrial, SIC Code 2258, **Guilford Mills LLC**, 1 Penn Dye Street, Pine Grove, PA 17963. Facility Name: Penn Dye & Finishing Plant. This existing facility is located in Pine Grove Borough, **Schuylkill County**.

Description of Existing Activity: The application is for a renewal/transfer of an NPDES permit (and transfer of WQM Permit No. 5476203-T1) for an existing discharge of treated Industrial Waste. Previous permittees were Gold Mills LLC (NPDES permit) and Penn Dye & Finishing Co. (WQM permit).

The receiving stream(s), Swatara Creek (CWF, MF) and Unnamed Tributary of Swatara Creek (CWF), are located in State Water Plan watershed 7-D and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 MGD.—Interim Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Dissolved Oxygen	XXX	XXX	Report Inst Min	XXX	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Antimony, Total	0.30	0.46	XXX	Report	Report	XXX
Copper, Total	Report	Report	XXX	Report	Report	XXX
Selenium, Total	Report	Report	XXX	Report	Report	XXX
Zinc, Total	Report	Report	XXX	Report	Report	XXX
Acrylamide (ug/L)	Report	Report	XXX	Report	Report	XXX
Benzo(k)Fluoranthene (ug/L)	Report	Report	XXX	Report	Report	XXX
Bis(2-Chloroethyl)Ether (ug/L)	Report	Report	XXX	Report	Report	XXX
Dibenzo(a,h)Anthracene (ug/L)	Report	Report	XXX	Report	Report	XXX
Phenolics, Total (ug/L)	2.83	5.67	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 2.0 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>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Dissolved Oxygen	XXX	XXX	3.0 Inst Min	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	20.3	25.0	XXX
May 1 - Oct 31	XXX	XXX	XXX	6.77	13.54	17.0
Antimony, Total	0.30	0.46	XXX	0.017	0.027	0.042
Copper, Total	Report	Report	XXX	0.013	0.021	0.032
Selenium, Total	Report	Report	XXX	0.015	0.024	0.037
Zinc, Total	Report	Report	XXX	0.122	0.190	0.305
Acrylamide (ug/L)	Report	Report	XXX	0.961	1.499	2.402
Benzo(k)Fluoranthene (ug/L)	Report	Report	XXX	0.052	0.081	0.13
3,4-Benzofluoranthene (ug/L)	Report	Report	XXX	0.052	0.081	0.13
Bis(2-Chloroethyl)Ether (ug/L)	Report	Report	XXX	0.412	0.642	1.03
Dibenzo(a,h)Anthracene (ug/L)	Report	Report	XXX	0.052	0.081	0.13
Phenolics, Total (ug/L)	2.83	5.67	XXX	49.2	76.8	123

The proposed effluent limits for Outfall 001 are based on a design flow of 2 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.23	XXX	0.76
Color (Pt-Co Units) (Pt-Co Units)	XXX	XXX	XXX	XXX	Report Max	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	141.8	283.6	XXX	Report	Report	XXX
Chemical Oxygen Demand (COD)	2,269.0	4,538.0	XXX	Report	Report	XXX
Total Suspended Solids	417.0	834.0	XXX	25.0	50.0	75.0
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Oil and Grease	250.0	500.0	XXX	15.0	XXX	30.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Nitrogen (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	Report	XXX
Total Phosphorus (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Total Phosphorus (Total Load, lbs) (lbs) Effluent Net	Report Total Mo	XXX	XXX	XXX	XXX	XXX
Aluminum, Total	Report	Report	XXX	Report	0.750	0.750
Arsenic, Total	Report	Report	XXX	Report	Report	XXX
Chromium, Total	2.83	5.67	XXX	Report	Report	XXX
Iron, Dissolved	Report	Report	XXX	Report	0.300	0.300
Iron, Total	Report	Report	XXX	Report	1.500	1.500
Manganese, Total	Report	Report	XXX	Report	1.000	1.000
Nickel, Total	Report	Report	XXX	Report	Report	XXX



<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Sulfide, Total	2.83	5.67	XXX	Report	Report	XXX
2,3,7,8-Tetrachlorodibenzo-p-dioxin (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Bromoform	Report	Report	XXX	Report	Report	XXX
Chloride	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX
Chlorodibromomethane (ug/L)	Report	Report	XXX	Report	Report	XXX
1,1,1-Trichloroethane (ug/L)	Report	Report	XXX	Report	Report	XXX
1,1-Dichloroethane (ug/L)	Report	Report	XXX	Report	Report	XXX
Dichlorobromomethane (ug/L)	Report	Report	XXX	Report	Report	XXX
Chloroform (ug/L)	Report	Report	XXX	Report	Report	XXX
1,1-Dichloroethylene (ug/L)	Report	Report	XXX	Report	Report	XXX
cis-1,2-Dichloroethylene (ug/L)	Report	Report	XXX	Report	Report	XXX
Tetrachloroethylene (ug/L)	Report	Report	XX	Report	Report	XXX
Trichloroethylene (ug/L)	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Stormwater Outfalls Nos. 002—010 are based on a design flow of 0 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	XXX	XXX	30.0
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	XXX	120.0
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	100.0
Oil and Grease	XXX	XXX	XXX	XXX	XXX	30.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	XXX	XXX	Report
Aluminum, Total	XXX	XXX	XXX	XXX	XXX	0.750
Chromium, Total	XXX	XXX	XXX	XXX	XXX	Report
Iron, Total	XXX	XXX	XXX	XXX	XXX	1.500
Manganese, Total	XXX	XXX	XXX	XXX	XXX	1.000
Sulfide, Total	XXX	XXX	XXX	XXX	XXX	Report
Phenolics, Total	XXX	XXX	XXX	XXX	XXX	Report

The proposed effluent limits for Internal Monitor Point/Outfall 101 are based on a design flow of 0.020 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (GPD)	Report	Report	XXX	XXX	XXX	XXX
Filter Backwash Discharges/Day (occur/mo)	XXX	XXX	Report	Report	XXX	XXX
pH (S.U.)	XXX	XXX	Report Inst Min	XXX	XXX	Report
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	Report
Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Aluminum, Total	Report	Report	XXX	Report	Report	XXX
Antimony, Total	Report	Report	XXX	Report	Report	XXX
Arsenic, Total	Report	Report	XXX	Report	Report	XXX
Chromium, Total	Report	Report	XXX	Report	Report	XXX
Copper, Total	Report	Report	XXX	Report	Report	XXX
Iron, Dissolved	Report	Report	XXX	Report	Report	XXX
Iron, Total	Report	Report	XXX	Report	Report	XXX
Lead, Total	Report	Report	XXX	Report	Report	XXX
Manganese, Total	Report	Report	XXX	Report	Report	XXX
Nickel, Total	Report	Report	XXX	Report	Report	XXX
Selenium, Total	Report	Report	XXX	Report	Report	XXX
Zinc, Total	Report	Report	XXX	Report	Report	XXX
1,1,1-Trichloroethane (ug/L)	Report	Report	XXX	Report	Report	XXX
1,1-Dichloroethane (ug/L)	Report	Report	XXX	Report	Report	XXX
cis-1,2-Dichloroethylene (ug/L)	Report	Report	XXX	Report	Report	XXX
Tetrachloroethylene (ug/L)	Report	Report	XXX	Report	Report	XXX
Trichloroethylene (ug/L)	Report	Report	XXX	Report	Report	XXX

Sludge use and disposal description and location(s): Sludge is stored in operating treatment impoundments until disposed offsite.

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

- Chesapeake Bay Nutrient conditions; Necessary property rights; Residual Management; Relation to WQM permits; BAT requirements; Chlorine minimization; O&M Plan; Raw Wastewater Pump Station Octagonal Pit condition; Certified Operator condition; Clean-up WQM Permit application condition; Groundwater monitoring; Compliance Schedule (Ammonia-N, DO); WQBEL for Toxic Pollutants; WQBELs below detection limits; Chemical Additives conditions; Stormwater conditions; Basin cleaning condition; Groundwater Remediation; Solids Management Condition

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

The EPA Waiver is not in effect.

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

**PA0087343**, Sewage, SIC Code 4952, **Broad Top Township Bedford County**, 187 Municipal Road, Defiance, PA 16633-0057. Facility Name: Broad Top Township Langdondale STP. This existing facility is located in Broad Top Township, **Bedford County**.

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

The receiving stream(s), Sandy Run (WWF), is located in State Water Plan watershed 11-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .01445 MGD.—Limits.

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

The proposed effluent limits for Outfall 001 are based on a design flow of .01445 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average	Average Monthly	Average Weekly	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	3.0	4.8	XXX	25	40
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX
Total Suspended Solids	3.6	5.4	XXX	30	45
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX

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

The EPA Waiver is in effect.

**PA0261572**, Sewage, SIC Code 8051, **Mt Hope Nazarene Retirement Comm**, 3026 Mount Hope Home Road, Manheim, PA 17545-9529. Facility Name: Mt Hope Nazarene Retirement Comm. This existing facility is located in Rapho Township, **Lancaster County**.

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

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

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
		Daily Max				
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen						
(Total Load, lbs) (lbs)						
Effluent Net	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
Total Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	15.0	XXX	30
May 1 - Oct 31	XXX	XXX	XXX	5.0	XXX	10
Ammonia-Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Total Phosphorus	Report	XXX	XXX	XXX	XXX	XXX
(Total Load, lbs) (lbs)	Total Mo					
Effluent Net						

Sludge use and disposal description and location(s): Derry Township POTW.

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

The EPA Waiver is in effect.

**PA0084026**, Sewage, SIC Code 4952, **Northwestern Lancaster County Authority**, 97 N Penryn Road, Manheim, PA 17545-9326. Facility Name: Northwestern Lancaster County STP. This existing facility is located in Penn Township, **Lancaster County**.

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

The receiving stream(s), Chiques Creek (WWF, MF), is located in State Water Plan watershed 7-G 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 .65 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	103	151 Wkly Avg	XXX	19	28 Wkly Avg	38
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	163	244 Wkly Avg	XXX	30	45 Wkly Avg	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	73	XXX	XXX	13.5	XXX	27
May 1 - Oct 31	24	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	10.8	XXX	XXX	2.0	XXX	4.0
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Sulfate, Total	Report	Report	XXX	Report	Report	XXX
Chloride	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Instantaneous Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	XXX	14,612	XXX	XXX	XXX
Net Total Phosphorus	XXX	1,826.5	XXX	XXX	XXX

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

The EPA Waiver is not in effect.

**PA0247855**, Sewage, SIC Code 4952, **Belfast Township Fulton County**, 121 Homestead Lane, Needmore, PA 17238-9425. Facility Name: Needmore STP. This existing facility is located in Belfast Township, **Fulton 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), Tonoloway Creek (WWF), is located in State Water Plan watershed 13-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.03 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	6.2	10.0 Wkly Avg	XXX	25.0	40.0	50.0

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Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Weekly Average	
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	7.5	11.2	XXX	30.0	45.0	60.0
		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
Total Nitrogen	Report Annl Avg	Report Total Annual	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	Report Annl Avg	Report Total Annual	XXX	Report Annl Avg	XXX	XXX

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

The EPA Waiver is in effect.

**PA0083691**, Industrial, SIC Code 4941, **West Earl Township Lancaster County**, 157 W. Metzler Road, P.O. Box 787, Brownstown, PA 17508-0202. Facility Name: West Earl Township Water Authority System. This existing facility is located in West Earl Township, **Lancaster 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), Conestoga River (WWF), is located in State Water Plan watershed 7-J 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 002 are based on a design flow of .0030 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Sulfate	XXX	XXX	XXX	XXX	Report	XXX
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	XXX	1,500	1,875
Thallium, Total	XXX	XXX	XXX	Report	XXX	XXX

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

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

The EPA Waiver is in effect.

**PA0262129**, Sewage, SIC Code 6514, **Cheryl Mishler & Gerald Mishler**, 1040 Manada Bottom Road, Harrisburg, PA 17112-8824. Facility Name: Mishler SFTF. This existing facility is located in East Hanover Township, **Dauphin County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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

The EPA Waiver is in effect.

**PA0039551**, Sewage, SIC Code 6515, **Lebanon Valley MHC**, 320 Parker Street, Carlisle, PA 17013-3621. Facility Name: Lebanon Valley MHC. This existing facility is located in Bethel Township, **Lebanon County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Report	XXX	XXX	XXX
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	XXX Daily Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report Daily Max	XXX

Sludge use and disposal description and location(s): Sludge is hauled off site periodically by a license hauler.

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

The EPA Waiver is in effect.

**PA0248185**, Sewage, SIC Code 4952, **Jackson Township Authority Lebanon County**, 60 N Ramona Road, Myerstown, PA 17067-2149. Facility Name: Jackson Township STP. This existing facility is located in Jackson Township, **Lebanon County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .5 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )						
Nov 1 - Apr 30	104	167	XXX	25	40	50
May 1 - Oct 31	67	104	XXX	16	25	32
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	125	187	XXX	30	45	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	21	XXX	XXX	5.1	XXX	10.2
May 1 - Oct 31	7.1	XXX	XXX	1.7	XXX	3.4
Total Phosphorus	4.1	XXX	XXX	1.0	XXX	2
Total Dissolved Solids	4,170	XXX	XXX	1,000.0 Avg Qrtly	XXX	2,000
Total Nitrogen	XXX	XXX	XXX	XXX	Report Daily Max	XXX

Sludge use and disposal description and location(s): Digested sludge is periodically hauled off site by a licensed hauler.

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

Stormwater Prohibition, Approval Contingencies, Proper Waste/solids Management, Restriction on receipt of hauled in waste under certain conditions, batch discharge condition and stormwater management requirement.

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

The EPA Waiver is in effect.

**PA0246867**, Sewage, SIC Code 6514, **Plaza Management Inc.**, 5609 Pinehurst Way, Mechanicsburg, PA 17050-8524. Facility Name: Riverside Apartments. This existing facility is located in Reed Township, **Dauphin County**.

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

The receiving stream(s), Juniata River (WWF), is located in State Water Plan watershed 12-B and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0018 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Daily Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.63

<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>	
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

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

- Annual Maintenance Report Requirement
- Measurement requirement of depth of septage and scum in all treatment units
- Septic & Treatment tank pumping requirement
- Chlorine Minimization
- Prohibition of Stormwater Discharges
- Collected screenings and solids Handling
- Abandonment of the treatment facility for public sewers

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

The EPA Waiver is in effect.

**PA0087572**, Industrial, SIC Code 4941, **Williamstown Borough Authority Dauphin County**, P.O. Box 32, Williamstown, PA 17098-0032. Facility Name: Williamstown Borough Water System. This existing facility is located in Williams Township, **Dauphin County**.

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

The receiving stream(s), Unnamed Tributary to Wiconisco Creek (CWF, MF), is located in State Water Plan watershed 6-C and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.016 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
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	0.21	XXX	0.68
Total Suspended Solids	Report	Report	XXX	30	60	75
Aluminum, Total	0.16	0.24	XXX	1.20	1.80	3
Iron, Total	Report	Report	XXX	2.0	4.0	5
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX

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

- Requirement for routine cleaning of sedimentation basins

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

The EPA Waiver is in effect.

**Application No. PA0233846**, Concentrated Animal Feeding Operation (CAFO), **Remley Drew E (Remley Hog & Beef LLC)**, 1170 Salt Spring Road, Roaring Branch, PA 17765-8824. Remley Drew E has submitted an application for an Individual NPDES permit for a renewal of a CAFO known as Remley Hog & Beef LLC, located in Liberty Township, **Tioga County**.

The CAFO is situated near Unnamed Tributary to Salt Spring Run (EV (existing use)) in Watershed 10-A, which is classified for High Quality-Cold Water, High Quality Waters—Cold Water Fishes, and Migratory Fish. The CAFO is designed to maintain an animal population of approximately 1,583.56 animal equivalent units (AEUs) consisting of 8,720 grow—finish pigs, 9,600 nursery pigs, 25 beef cows, 8 beef finishers, and 25 beef calves. Manure is stored in several



underbarn manure storages, a circular concrete tank, and stacking areas. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

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

**PA0232602**, Industrial, SIC Code 4911, **Panda Hummel Station LLC**, P.O. Box 518, 2386 N Old Trail, Shamokin Dam, PA 17876. Facility Name: Panda Hummel Station LLC. This existing facility is located in Shamokin Dam Borough, **Snyder 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 (WWF, MF), is located in State Water Plan watershed 6-B and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of 1.553 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Free Available Chlorine	XXX	XXX	Inst Min	0.2	XXX	0.5
Temperature (deg F) (°F)	XXX	XXX	XXX	XXX	110	XXX
Total Suspended Solids (interim)	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids (final)	385	1,295	XXX	30.0	100.0	125
Aluminum, Total (interim)	Report	Report	XXX	Report	Report	XXX
Aluminum, Total (final)	28.88	44.42	XXX	2.23	3.43	5.57
Chromium, Total	2.59	2.59	XXX	0.20	0.20	0.5
Zinc, Total	12.95	12.95	XXX	1.00	1.00	2.5
PCBs, Total (ug/L)	XXX	XXX	XXX	XXX	XXX	Report
Priority Pollutants, Total	XXX	Report	XXX	XXX	XXX	Report
		IMAX				

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.

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

**PA0235555**, Industrial, SIC Code 1222, **Homer City Generation LP**, 1750 Power Plant Road, Homer City, PA 15748-8009. Facility Name: Dixon Run Central Treatment Facility. This existing facility is located in Cherryhill Township, **Indiana County**.

Description of Proposed Activity: The application is to renew an NPDES permit for discharges of treatment mine drainage.

The receiving streams, Allen Run (CWF) and Two Lick Creek (TSF), are located in State Water Plan watershed 18-D and are classified for Cold Water Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.044 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	35.0	70.0	90
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Acidity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	Report	XXX
Net Alkalinity	XXX	XXX	0.0	XXX	XXX	XXX
Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Mercury, Total (ug/L)	XXX	XXX	XXX	0.2	0.2	0.2
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Thallium, Total (ug/L)	XXX	XXX	XXX	2.0	2.0	2
Chloride	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.044 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	35.0	70.0	90
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Acidity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	Report	XXX
Net Alkalinity	XXX	XXX	0.0	XXX	XXX	XXX
Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	Report	XXX
Aluminum, Total	XXX	XXX	XXX	0.75	0.75	0.75
Iron, Total	XXX	XXX	XXX	1.5	3.0	3.75
Manganese, Total	XXX	XXX	XXX	1.0	2.0	2.5
Sulfate, Total	XXX	XXX	XXX	Report	Report	XXX
Chloride	XXX	XXX	XXX	Report	Report	XXX

In addition, the permit contains the following major special conditions: requirements to sample the receiving stream each quarter at locations upstream and downstream of the active outfall (currently Outfall 001) for the following parameters: flow, pH, alkalinity, acidity, aluminum, iron, manganese, sulfate, total suspended solids, total dissolved solids, osmotic pressure, chlorides, mercury (001 only), and thallium (001 only); a requirement to report the elevation of the Dixon Run Mine Pool each quarter.

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.

**PA0027715**, Industrial, SIC Code 4953, **MAX Environmental Technologies Inc.**, Foster Plaza # 5, 651 Holiday Drive, Pittsburgh, PA 15220-2740. Facility Name: Yukon Facility. This existing facility is located in South Huntingdon Township, **Westmoreland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for discharges of treated sanitary wastewater; treated landfill leachate and groundwater; and storm water.

The receiving streams, Sewickley Creek (WWF) and unnamed tributary to Sewickley Creek (WWF), are located in State Water Plan watershed 19-D and are classified for Warm Water Fishes, aquatic life, water supply, and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.048 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	1.25

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	37.0	140.0	175
Total Suspended Solids	XXX	XXX	XXX	28.0	60.0	75
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	1,000	2,000	2,500
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Ammonia-Nitrogen	XXX	XXX	XXX	18.9	37.9	47.2
Aluminum, Total	XXX	2.34	XXX	1.0	2.0	2.5
Antimony, Total	XXX	XXX	XXX	Report	Report	XXX
Barium, Total	XXX	XXX	XXX	4.0	8.0	10
Cadmium, Total	XXX	XXX	XXX	0.025	0.05	0.0625
Chromium, Hexavalent	XXX	XXX	XXX	0.05	0.1	0.125
Chromium, Total	XXX	XXX	XXX	0.5	1.0	1.25
Copper, Total	XXX	XXX	XXX	0.1	0.2	0.25
Cyanide, Free	XXX	XXX	XXX	0.1	0.2	0.25
Iron, Total	XXX	8.17	XXX	3.5	7.0	8.75
Lead, Total	XXX	XXX	XXX	0.12	0.24	0.3
Molybdenum, Total	XXX	XXX	XXX	Report	Report	XXX
Nickel, Total	XXX	XXX	XXX	1.0	2.0	2.5
Silver, Total	XXX	XXX	XXX	0.005	0.01	0.0125
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Tin, Total	XXX	XXX	XXX	Report	Report	XXX
Zinc, Total	XXX	XXX	XXX	0.35	0.7	XXX
4,4-DDD (µg/L)	XXX	XXX	XXX	Report	Report	XXX
4,4-DDT (µg/L)	XXX	XXX	XXX	Report	Report	XXX
4,4-DDE (µg/L)	XXX	XXX	XXX	Report	Report	XXX
3,3-Dichlorobenzidine (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Phenol	XXX	XXX	XXX	0.015	0.026	0.0375
a-Terpineol	XXX	XXX	XXX	0.016	0.033	0.04
Benzoic Acid	XXX	XXX	XXX	0.071	0.12	0.177
Chloride	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX
p-Cresol	XXX	XXX	XXX	0.014	0.025	0.035
Phenolics, Total	XXX	XXX	XXX	0.1	0.2	0.25
Benzidine (µg/L) (Interim)	XXX	XXX	XXX	Report	Report	XXX
Benzidine (µg/L) (Final)	XXX	XXX	XXX	0.118	0.184	XXX
Dieldrin (µg/L) (Interim)	XXX	XXX	XXX	Report	Report	XXX
Dieldrin (µg/L) (Final)	XXX	XXX	XXX	0.071	0.111	0.177
Toxaphene (µg/L) (Interim)	XXX	XXX	XXX	Report	Report	XXX
Toxaphene (µg/L) (Final)	XXX	XXX	XXX	0.002	0.002	XXX

The proposed effluent limits for Outfalls 002 and 003 are for storm water discharges.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Aluminum, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 are based on a design flow of 0.0032 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	XXX	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Turbidity (NTU)	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Nitrate as N	XXX	XXX	XXX	XXX	Report	XXX
Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	XXX	Report	XXX
Fluoride, Total	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
Manganese, Total (ug/L)	XXX	XXX	XXX	XXX	Report	XXX
Magnesium, Dissolved	XXX	XXX	XXX	XXX	Report	XXX
Magnesium, Total	XXX	XXX	XXX	XXX	Report	XXX
Calcium, Total	XXX	XXX	XXX	XXX	Report	XXX
Potassium, Total	XXX	XXX	XXX	XXX	Report	XXX
Sodium, Total	XXX	XXX	XXX	XXX	Report	XXX
Sulfate, Total	XXX	XXX	XXX	XXX	Report	XXX
Bicarbonate Chloride	XXX	XXX	XXX	XXX	Report	XXX
Total Organic Carbon	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 007 are based on a design flow of 0.0015 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.0
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

The proposed monitoring requirements for Internal Monitoring Point 201 are for influent landfill leachate.

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

Outfall 004 is authorized to discharge storm water.

In addition, the permit contains the following major special conditions: a schedule of compliance for water quality limits; requirements applicable to storm water, chemical additives, and emergency overflows.

*Note:* Effluent limits or reporting requirements are proposed for benzidine, 3,3-dichlorobenzidine, 4,4-DDD, 4,4-DDT, 4,4-DDE, dieldrin, and toxaphene because MAX Environmental Technologies (MAX) did not achieve the Department's target quantitation limits for the permit application's required analyses. The Department will allow MAX to analyze new samples for these pollutants during the 30-day draft permit comment period. If MAX verifies that the pollutants are not present in its wastewater discharges at the Department's quantitation limits, monitoring requirements or effluent limitations for those pollutants may be eliminated prior to final permit issuance.

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

The EPA Waiver is not in effect.

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

**PA0029122**, Sewage, SIC Code 4952, **Saxonburg Borough Area Authority**, 420 West Main Street, Saxonburg, PA 16056-9517. Facility Name: Saxonburg Area Authority STP. This existing facility is located in Saxonburg Borough, **Butler 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, the Connoquenessing Creek (WWF), is located in State Water Plan watershed 20-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.05 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			4.0			
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	Inst Min	XXX	XXX	XXX
			4.0			
Nov 1 - Apr 30	427	684	XXX	25.0	40.0	50
May 1 - Oct 31	256	427	XXX	15.0	25.0	30
Biochemical Oxygen Demand (BOD <sub>5</sub> )						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	513	769	XXX	30	45	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ultraviolet light intensity (µw/cm <sup>2</sup> )	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	231	XXX	XXX	13.5	XXX	27
May 1 - Oct 31	77	XXX	XXX	4.5	XXX	9
Total Phosphorus	34.2	XXX	XXX	2.0	XXX	4

Sludge use and disposal description and location(s): Sludge is not used, any generated is disposed of at the Seneca Landfill.

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

- Solids Management
- Whole Effluent Toxicity (WET)

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.

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

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

**WQM Permit No. WQG02391901**, Sewage, **Upper Saucon Township Municipal Authority Lehigh County**, 5500 Camp Meeting Road, Center Valley, PA 18034-9444.

This proposed facility is located in Upper Saucon Township, **Lehigh County**.

Description of Proposed Action/Activity: The project is for the construction of a pump station to serve the proposed Locust Valley Development. Sewage from the Development will be collected by a gravity collection system. The proposed pump station will have a concrete below grade wet well with two submersible pumps, a precast concrete below grade valve vault, and an above ground control building.

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

**WQM Permit No. 3886403, Amendment # 3**, Sewerage, **Summit International School of Ministry**, 74 Harrison School Road, Grantville, PA 17028-8222.

This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Seeking permit approval to abandon the existing tertiary filtration system; flow meter to remain within chamber.

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

**WQM Permit No. 6319402**, Sewage, **North Strabane Township Municipal Authority Washington County**, 68 E Pike Street, Canonsburg, PA 15317-1375.

This proposed facility is located in Cecil Township, **Washington County**.

Description of Proposed Action/Activity: Construction of a submersible pump station and approximately 1,700 feet of six inch diameter force main to serve the proposed Greenwood Village development.

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

**WQM Permit No. 1619406**, Sewage, **John Godlesky**, 74 Cedar Lane, Leeper, PA 16233-2324.

This proposed facility is located in Farmington Township, **Clarion County**.

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

**WQM Permit No. 1019407**, Sewage, **Thomas Rabbitt**, 299 Rabbitt Road, Chicora, PA 16025.

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

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

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

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

**PAI132231**, MS4, **Alburtis Borough**, 260 Franklin Street, P.O. Box 435, Alburtis, PA 18011-5008. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Alburtis Borough, **Lehigh County**. The receiving streams, Swabia Creek (HQ-CWF, MF) and Little Lehigh Creek (HQ-CWF, MF), are located in State Water Plan watershed 2-C and are classified for High Quality-Cold Water and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

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

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

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

**PAI136113**, MS4, **Leetsdale Borough**, 373 Beaver Street, Leetsdale, PA 15056. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Leetsdale Borough, **Allegheny County**. The receiving streams, Little Sewickley Creek (HQ-TSF), Ohio River (WWF), and Big Sewickley Creek (TSF), are located in State Water Plan watershed 20-G and are classified for Warm Water Fishes, Trout Stocking, and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

**PAI136108**, MS4, **Leet Township**, 198 Ambridge Avenue, Ambridge, PA 15003-1278. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Leet Township, **Allegheny County**. The receiving streams, Big Sewickley Creek (TSF), and Little Sewickley Creek (HQ-TSF), are located in State Water Plan watershed 20-G and are classified for Trout Stocking and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

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


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

*Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD400031	PennDOT District 4-0 Susan Hazleton 55 Keystone Industrial Park Dunmore, PA 18512	Luzerne	Hazle Twp	Cross Run (CWF, MF) UNT to Cross Run (CWF, MF) Cranberry Creek (CWF, MF) Tomhicken Creek (CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480111	Gail Putvinski Washington Twp 1021 Washington Blvd Bangor, PA 18013	Northampton	Washington Twp	Waltz Creek (HQ-CWF, MF) EV Wetlands

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD380009	Landmark Homes at 897, Inc. 1737 West Main Street Ephrata, PA 17522	Lebanon	Heidelberg Township	UNT Hammer Creek CWF EV and Other Wetlands

*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>
PAD650021	Redevelopment Authority of Westmoreland County 40 North Pennsylvania Avenue Greensburg, PA 15601	Westmoreland County	Derry Borough	UNT to McGee Run (CWF)

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


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PAG-12	CAFOs
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

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**CAFO Notices of Intent Received.**


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

**NPDES Permit No. PAG123699 A-1, CAFO, Blue Berry Hill Farm Inc.,** 2950 Centennial Road, Hanover, PA 17331-8759.

This existing facility is located in Mount Pleasant Township, **Adams County**.

Description of size and scope of existing operation/activity: Swine (Grow—Finish), Horses: 594.23 AEUs.

The receiving stream, South Branch Conewago Creek (WWF, MF), is in watershed 7-F and classified for: Migratory Fishes and Warm Water Fishes.

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

**NPDES Permit No. PAG124824 A-1, CAFO, Rodney E Lane,** 1982 Harrison Fox Hill Road, Harrison Valley, PA 16927-9426.

This existing facility is located in Harrison Township, **Potter County**.

Description of size and scope of existing operation/activity: Swine (Grow—Finish), Beef (Bulls, Cows, Steers, Calves): 791.91 AEU's.

The receiving stream, Unnamed Tributary to North Branch Cowanesque River (CWF, MF) and Unnamed Tributary to North Branch Cowanesque River (CWF), is in watershed 4-A and classified for: Cold Water Fishes and Migratory Fishes.

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

## 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>
Johnathan Lapp 523 Media Road Oxford, PA 19363	Chester, East Nottingham Township	1	224.96	Pullets	EV	Renewal
Beachdale Farms, Inc. 126 Bronco Dr Berlin, PA 15530	Somerset	850	916.9	Beef Swine	None	Renewal
Keith & Denise Leydig 594 Cumberland Hwy Berlin, PA 15530	Somerset	555	726.9	Swine	HQ-CWF/ (rented fields)	Renewal

### PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a

concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

The permit application and related documents are on file at the office listed before the application and available



for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

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

**SAFE DRINKING WATER**

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

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

**Permit No. 3619526**, Public Water Supply.

Applicant **Ephrata Area Joint Authority**  
 Municipality Ephrata Borough  
 County **Lancaster**  
 Responsible Official Jeffrey L. Iezzi,  
 Water Division Chief Operator  
 124 South State Street  
 Ephrata, PA 17522  
 Type of Facility Public Water Supply  
 Consulting Engineer Bruce A. Brubaker, P.E.  
 Gannett Fleming Inc  
 P.O. Box 67100  
 Harrisburg, PA 17106-7100  
 Application Received: 10/18/2019  
 Description of Action Replacement of 2 individual  
 filter effluent turbidimeters

**Permit No. 3619524**, Public Water Supply.

Applicant **Columbia Water Company**  
 Municipality Columbia Borough  
 County **Lancaster**  
 Responsible Official David T. Lewis  
 General Manager  
 220 Locust Street  
 Columbia, PA 17512  
 Type of Facility Public Water Supply  
 Consulting Engineer David T. Lewis, P.E.  
 Columbia Water Company  
 220 Locust Street  
 Columbia, PA 17512  
 Application Received: 9/17/2019  
 Description of Action Addition of a polymer coagulant  
 aid

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

**Application No. 4919507—Construction—Public Water Supply.**

Applicant **Cherokee Pharmaceutical, LLC**  
 Township/Borough Riverside Borough

County **Northumberland County**  
 Responsible Official Ms. Heather Keller  
 100 Avenue C  
 P.O. Box 367  
 Riverside, PA 17868  
 Type of Facility Public Water  
 Supply—Construction  
 Consulting Engineer Mr. Martin Bretchneider  
 Hargrove Life Sciences, LLC  
 1880 John F. Kennedy Blvd.  
 Suite 700  
 Philadelphia, PA 19103  
 Application Received 10/16/2019  
 Description of Action Authorizes the installation of  
 three new multi-media sand  
 filters for potable water supply  
 treatment system modification.

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

**Permit No. 5619507**, Public Water Supply.

Applicant **Commission of Waterworks of Salisbury Borough**  
 171 Smith Avenue  
 Salisbury, PA 15558  
 [Township or Borough] Salisbury Borough  
 Responsible Official Lawrence F. Cogley  
 Council President  
 Commission of Waterworks of  
 Salisbury Borough  
 171 Smith Avenue  
 Salisbury, PA 15558  
 Type of Facility Water system  
 Consulting Engineer Gibson-Thomas Engineering Co.,  
 Inc.  
 1004 Ligonier Street  
 P.O. Box 853  
 Latrobe, PA 15650  
 Application Received Date October 24, 2019  
 Description of Action Installation of a mixing system  
 and painting of the 167,000  
 gallon Salisbury water storage  
 tank.

**Permit No. 5619508**, Public Water Supply.

Applicant **Addison Area Water Authority**  
 P.O. Box 13  
 Addison, PA 15411  
 [Township or Borough] Addison Borough and  
 Addison Township  
 Responsible Official Kevin Nogroski  
 Borough Council President  
 Addison Area Water Authority  
 P.O. Box 13  
 Addison, PA 15411  
 Type of Facility Water system

Consulting Engineer Uni-Tec Consulting Engineers, Inc.  
2007 Cato Avenue  
State College, PA 16801

Application Received Date October 25, 2019

Description of Action Modifications to the well site, chlorination system and tank site.

**Permit No. 5046492**, Public Water Supply.

Applicant **Creekside Springs, LLC**  
667 Merchant Street  
Ambridge, PA 15003

[Township or Borough] New Brighton and Pulaski Townships

Responsible Official James Sas  
Managing Partner  
Creekside Springs, LLC  
667 Merchant Street  
Ambridge, PA 15003

Type of Facility Bottled water system

Consulting Engineer Widmer Engineering, Inc.  
806 Lincoln Place  
Beaver Falls, PA 15010

Application Received Date October 16, 2019

Description of Action Construction of the New Brighton bottled water plant, including the development of a primary well source and a back-up municipal source.

**MINOR AMENDMENT**

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

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

**Permit No. 6319502MA**, Minor Amendment.

Applicant **Tri-County Joint Municipal Authority**  
26 Monongahela Avenue  
Fredericktown, PA 15333

[Township or Borough] Centerville Borough

Responsible Official Vincent Bloom  
Board Chairman  
Tri-County Joint Municipal Authority  
26 Monongahela Avenue  
Fredericktown, PA 15333

Type of Facility Water treatment plant

Consulting Engineer Entech Engineering, Inc.  
400 Rouser Road  
Building 2  
Suite 200  
Coraopolis, PA 15108

Application Received Date October 15, 2019

Description of Action Installation of a pressure reducing valve vault.

**DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS**

**Application(s) for Determination of Applicability administratively complete under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

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

**General Permit Application No. WMGM043SW006. Wood Waste Recycling, LLC**, 111 Kelso Drive, McDonald, PA 15057. A request for Determination of Applicability to process construction/demolition waste for the beneficial use at a facility to be located in Collier Township, **Allegheny County**. The application was received by the Department on August 13, 2019 and deemed administratively complete by the Regional Office on October 25, 2019.

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

**Application received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and regulations to operate a Solid Waste Processing or Disposal Area or Site.**

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

**Permit Application ID No. 100592. Valley Waste Services, Inc.**, 261 Wallace Road, Beaver Falls, PA 15010. A Solid Waste Management permit application was received for a 10-year renewal for the Valley Waste Transfer Facility, located in Chippewa Township, **Beaver County**. The application for permit renewal was received in the Regional Office on September 19, 2019.

*Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Permit Application No. 101587. County Waste of Pennsylvania, LLC**, 4 Enterprise Avenue, Clifton Park, NY 12065. An application for permit renewal for the continued operation of a municipal waste transfer station known as North Schuylkill Transfer Station located in West Mahanoy Township, **Schuylkill County**. The application was received by the Regional Office on October 21, 2019 and the application was deemed administratively complete on October 23, 2019.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. 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.

## MUNICIPAL WASTE GENERAL PERMIT

**Application(s) Received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit Application No. WMGM017NC001. Full Circle Bioconversion, LLC**, 600 Kinley Road, Williamsport, PA 17701-8816. The facility is located in Old Lycoming Township, **Lycoming County**. The Department of Environmental Protection (DEP), Bureau of Waste Management has received a determination of applicability (DOA) application for coverage under Municipal Waste General Permit No. WMGM017. This general permit authorizes composting (by windrows, aerated static piles, or in-vessel methods) of non-liquid manure, yard waste, source-separated food scraps from food markets, grocery stores, food banks, food distribution centers, school cafeterias and institutions, source-separated newspaper, and source-separated corrugated paper (cardboard) for use as a soil substitute, soil conditioner, fertilizer, mulch or soil amendment. DEP determined the DOA application to be administratively complete on October 16, 2019.

Full Circle Bioconversion, LLC is proposing to compost food waste by using black soldier fly larvae, *Hermetia illucens*, to generate frass for beneficial use as a soil amendment, which will require modifications to WMGM017, to incorporate vermicomposting and hermetia composting as authorized composting activities.

Written comments concerning the application or proposed modifications, and persons interested in reviewing the application, should be directed to Chris Solloway, Group Manager, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at ra-epbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on WMGM017NC001" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its

application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

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

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

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

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

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

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

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

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

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

**06-05159A: CarbonLITE P, LLC** (4030 Pottsville Pike, Reading, PA 19605) for the installation of four (4) Caterpillar, 2,069 HP, natural gas-fired engines for their combined heat and power system and three (3) natural gas-fired, 7.877 mmbtu/hr, Miura boilers at the pcrPET bottles and container recycle plant located in Muhlenberg Township, **Berks County**. The expected potential increases in facility emissions as a result of the changes proposed are: 42.48 tpy NO<sub>x</sub>, 27.61 tpy CO, 0.74 tpy SO<sub>x</sub>, 0.94 tpy PM, 20.53 tpy VOC and 4.00 tpy Formaldehyde. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR Part 60 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval may be incorporated into an Operating Permit pursuant to the provisions of 25 Pa. Code Chapter 127.

#### OPERATING PERMITS

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

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

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

**23-00018: Exelon Generation Company, LLC** (2501 Seaport Drive, Chester, PA 19013) for renewal of the Title V Operating Permit for its Chester Generating Station located in the City of Chester, **Delaware County**. Exelon operates an electrical power peaking distribution system plant, containing three simple cycle combustion turbines which generate a maximum of 18 MW each. Due to the potential emissions of NO<sub>x</sub> and SO<sub>x</sub>, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Permit Renewal does not reflect any change in air emissions from the facility. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

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

**09-00209: Univar USA Inc.**, (4 Steel Road, Morrisville, PA 19067) submitted a renewal application for a Non-Title V Facility, State-Only, Natural Minor Permit in Falls Township, **Bucks County**. Univar USA Inc. is a chemical and allied products merchant wholesaler. The sources of emissions include: storage tanks and transfer stations. The facility has a HAP emission limit of 24.4 tons per year calculated on a 12-month rolling sum and a VOC emission limit of 22 tons per year. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**09-00186: Kinder Morgan Bulk Terminals, Inc.** (1000 South Port Road, Fairless Hills, PA 19030) for the renewal of a Synthetic Minor Operating Permit in Falls Township, **Bucks County**. The initial operating permit was issued on April 22, 2008. Kinder Morgan Bulk Terminals, Inc. owns and operates a bulk material handling facility. The main sources of emissions are the transfer points from transferring of material, stockpiling of material, and roadway emissions. Sources include hoppers, conveyors, storage domes, stockpiles, one on-site emergency generator and one portable emergency generator, two (2) waste oil heaters, and a gas pumping station with a 2,000-gallon gasoline storage tank. The emergency generators and waste oil heaters are deemed as insignificant sources. The gasoline storage tank (Source ID 107) is subject to 40 CFR Part 63, Subpart CCCCC. Potential emissions from the facility are: PM—411.95 TPY, PM<sub>10</sub>—147.12 TPY, PM<sub>2.5</sub>—31.05 TPY, NO<sub>x</sub>—10.77 TPY, CO—2.43 TPY, SO<sub>x</sub>—3.70 TPY, VOC—2.46 TPY, and HAP—8.06 TPY. In the initial operating permit, there was a limit of 99.0 tons per 12-month rolling period for PM<sub>10</sub> as a result of PM<sub>10</sub> being used as a pre-cursor for the NSR pollutant PM<sub>2.5</sub>. This has been revised to state that PM<sub>2.5</sub> shall be restricted to 99.0 tons per 12-month rolling period, as PM<sub>10</sub> is no longer used as a pre-cursor for PM<sub>2.5</sub>. The permit will contain monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**15-00133: Immaculata University** (1145 King Road, Immaculata, PA 19345-9903), for the renewal of a State Only, Synthetic Minor Operating Permit in East Whiteland Township, **Chester County**. The facility operates four boilers for heating purposes and seven emergency generators for backup power and one fire pump. The proposed renewal of the Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. This renewal also includes a change in the responsible official for the facility. The renewed permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable local, State, and Federal air quality requirements.

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

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

**52-00005: Springbrook Enterprises, Inc.** (504 Well Road Hawley, PA 18428-6021). The Department intends to issue a renewal State-Only Natural Minor Permit for Springbrook Enterprises located in Blooming Grove Township, **Pike County**. Activities performed at this site include the crushing and processing of stone. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission

limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**36-03209: Bareville Woodcraft Co.** (70 Farmland Road, Leola, PA 17540) to issue a State Only Operating Permit for the woodworking facility located in Upper Leacock Township, **Lancaster County**. The potential emissions from the facility are estimated at 10.67 tpy of NO<sub>x</sub>, 6.53 tpy of CO, 1.74 tpy of PM, 0.54 tpy of SO<sub>x</sub> and 0.37 tpy of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 63, Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

**67-03007: APEX Tool Group, LLC** (3990 East Market Street, York, PA 17402-2769) to issue a State Only Operating Permit for York plant located in Springettsbury Township, **York County**. The facility's potential PM emissions are approximately 72 tpy. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions from 25 Pa. Code Chapter 123 and 40 CFR Part 63 Subpart WWWW—National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations. Two emergency generators and a fire pump engine are subject to the MACT Subpart ZZZZ requirements.

**38-05024: Pennsy Supply, Inc.** (2400 Thea Drive, Suite 3A, Harrisburg, PA 17110) for the stone crushing operations at the Prescott Quarry in South Lebanon Township, **Lebanon County**. This is for the renewal of the existing State-only permit. Potential air emissions from the facility are estimated to be 29.7 tpy of PM with 10.6 tons of PM<sub>10</sub>, and 1.4 ton of PM<sub>2.5</sub>. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart OOO.

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

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

**20-00094: Ainsworth Pet Nutrition, Inc.** (18746 Mill Street, Meadville, PA 16335). The Department intends to renew a State Only Operating Permit for the facility located in Vernon Township, **Crawford County**. The facility is a Natural Minor. The primary sources at the facility include 2 natural gas fueled boilers rated at 12.5 million Btu/hr and 20.9 million Btu/hr; 2 natural gas fuel space heaters rated less than 2.5 million Btu/hr each; a 200,000 Btu/hr waste oil fueled space heater; 2 natural gas fueled drying ovens, and pet food conveying, milling,

and transfer operations. The potential emissions from the facility are as follows: 5.9 tpy Particulate Matter; 28.96 tpy NO<sub>x</sub>; 16.90 tpy CO; 0.18 tpy SO<sub>x</sub>; 1.54 tpy VOC; and 0.59 tpy HAPs. The facility is subject to 40 CFR Part 60 Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**25-00946: PSB Industries, Inc.** (1202 West 12th Street, Erie, PA 16501). The Department intends to renew a State Only Operating Permit for the metal fabricating facility located in the City of Erie, **Erie County**. The primary sources at the facility are sand blasting and glass bead blasting operations; two paint booths; two parts washers; and a natural gas oven and several natural gas space heaters with a combined rating of 5.6 million Btu/hr of heat input. Potential Emissions for the site are less than the Title V thresholds. The facility is a Natural Minor. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**25-00972: Insul-Board** (2120 Colonial Avenue, P.O. Box 8103, Erie, PA 16505). The Department intends to renew a State Only operating permit for the expanded polystyrene insulation & packing material molding facility located in Millcreek Township, **Erie County**. The sources at the facility include a 5.2 million Btu/hr natural gas fueled boiler, 4 natural gas fueled space heaters each rated less than 500,000 Btu/hr, pre-expanded pellet heating, pre-expanded pellet storage, molding of product, and storage of finished goods. The facility is a Synthetic Minor due to its potential to emit Pentane which is a VOC. The permit contains a federally enforceable VOC emission restriction of 35 tons per year. Actual emissions for the calendar year 2018 were 0.2 ton NO<sub>x</sub>; 0.1 ton CO; 15.5 tons VOC; and 180 tons CO<sub>2</sub>. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**25-00996: Advanced Finishing USA** (7401 Klier Drive, Fairview, PA 16415). The Department intends to renew a State Only Operating Permit for the coating facility located in Fairview Township, **Erie County**. The primary sources at the facility include 2 paint booths; 10 natural gas fueled process ovens; and a 475,000 Btu/hr natural gas fueled burn off oven. The facility is a Natural Minor. Potential emissions are 12.20 tpy VOC; 73.42 tpy PM; 15.20 tpy NO<sub>x</sub>; 12.77 tpy CO; 1.72 tpy all HAPs combined; and less than 1 tpy SO<sub>x</sub>. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

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

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

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

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

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

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

#### *Coal Applications Received*

*Effluent Limits*—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH <sup>1</sup>		greater than 6.0; less than 9.0	

Alkalinity greater than acidity<sup>1</sup>

<sup>1</sup> 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) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

**30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC** (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Enlow Fork Mine in Richhill and Morris Townships, **Greene County** and Morris Township, **Washington County** and related NPDES Permit for installation of an overhead electric line. Surface Acres Proposed 15.6. No additional discharges. The application was considered administratively complete on October 23, 2019. Application received: September 27, 2019.

**30161301 and NPDES No. PA0236519. The Marshall County Coal Company** (46226 National Road, St. Clairsville, OH 43950). To revise the permit for the Marshall County Mine in Aleppo Township, **Greene County** and related NPDES Permit for installation of two (2) airshafts associated with the pending Marshall County Mine and to add NPDES Point 001. Surface Acres Proposed 17.3. Receiving Stream: Unnamed Tributary to Harts Run, classified for the following use: WWF. The application was considered administratively complete on October 23, 2019. Application received: July 22, 2019.

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

**24980102 and NPDES No. PA0227781. Tamburlin Brothers Coal Co., Inc.** (P.O. Box 1419, Clearfield, PA 16830). Renewal of an existing bituminous surface mine and associated NPDES permit in Fox Township, **Elk County** affecting 196.0 acres. Receiving streams: Limestone Run and Little Toby Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: September 24, 2019.

*New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.*

**03180101 and NPDES Permit No. PA0278424. P&N Coal Company, Inc.** (P.O. Box 332, Punxsutawney, PA 15767). Application for commencement, operation and restoration of bituminous surface mine, located in Madison Township, **Armstrong County**, affecting 110.3 acres. Receiving streams: Redbank Creek and unnamed tributaries to Redbank Creek, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: October 11, 2019.

*Noncoal Applications Received*

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

Table 2

Parameter	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

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

**Permit No. 28890301 and NPDES No. PA0279528, New Enterprise Stone & Lime Co., Inc.**, P.O. Box 77, New Enterprise, PA 16664, commencement, operation and restoration of a large noncoal (industrial minerals) mine to change the land use from Agriculture & Forestland to Recreation in Southampton Township, **Franklin County**, affecting 159.3 acres. Receiving stream: Furnace Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: October 15, 2019.

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

**PAM219017. Daniel M. Abell**, 5547 Reagan Hill Road, Warren Center, PA 18851, coverage under General NPDES Permit For Stormwater Discharges Associated With Mining Activities (BMP GP-104) on Noncoal Permit No. 08070801 located in Warren Township, **Bradford County**. Receiving stream(s): Unnamed Tributary to Wappasening Creek classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for Coverage received: October 15, 2019.

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

**Permit No. 46030301C4 and NPDES Permit No. PA0224308. Gibraltar Rock, Inc.** (355 Newbold Road, Fairless Hills, PA 19030), renewal of NPDES Permit for discharge treated mine drainage from a quarry operation in New Hanover Township, **Montgomery County** affecting 241 acres, receiving stream: unnamed tributary to Swamp Creek and Scioto Creek, classified for the following uses: trout stocking and migratory fishes. Application received: October 17, 2019.

**Permit No. 52770301C2 and NPDES Permit No. PA0225436. Shiffer Bituminous Service Company** (158 Dotters Corner Road, Kunkletown, PA 18058), renewal of NPDES Permit for discharge treated mine drainage from a quarry operation in Polk Township, **Monroe County** affecting 29,038 acres, receiving stream: Dotters Creek, classified for the following use: high-quality cold water fishes. Application received: October 21, 2019.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
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. PA0215571 (Mining Permit No. 02141301 (formerly 02891701)), Consol Mining Company LLC** (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317). A renewal to the NPDES and mining activity permit for the Harmar Mine in Harmar and Indiana Townships and Fox Chapel Borough, **Allegheny County**. Surface Acres Affected: 12.6. Receiving stream: Campbell Run, classified for the following use: WWF. Receiving stream: Deer Creek, classified for the following use: CWF. Impaired TMDL Pending. The application was considered administratively complete on October 9, 2015. Application received: March 31, 2015.

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

Outfall 001 discharges to: Campbell Run.

The proposed effluent limits for Outfall 001 (Lat: 40° 32' 47" Long: 79° 52' 06") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	50	50



Outfall 002 discharges to: Deer Creek.

The proposed effluent limits for Outfall 002 (Lat: 40° 35' 11" Long: 79° 52' 40") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Bromide	(mg/l)	-	-	-	Report
pH	(S.U.)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0.0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	50	50

EPA waiver is not in effect.

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

**NPDES No. PA0598372 (Mining Permit No. 56890102), Svonavec, Inc.**, 2555 New Centerville Road, Rockwood, PA 15557, renewal of an NPDES permit for treatment of a post mining discharge in Lower Turkeyfoot Township, **Somerset County**, affecting 92.5 acres. Receiving stream: unnamed tributary to Casselman River, classified for the following use: warm water fishes. This receiving stream is included in the Casselman River TMDL. Application received: August 5, 2019.

The following outfall discharges to an unnamed tributary to Casselman River:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
006 (TF4, formerly 002)	N

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

*Outfalls: 006 (All Weather Conditions)*

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	2.5	5.0	6.2
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.0	2.0	2.5
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10.0 standard units at all times			
Alkalinity must exceed acidity at all times			

**NPDES No. PA0279749 (Mining Permit No. 56190301), Windber Stone, LLC**, 117 Marcia Street, Latrobe, PA 15650, re-permitting of an NPDES permit for an industrial minerals quarry in Ogle Township, **Somerset County**, affecting 99.8 acres. Receiving stream(s): unnamed tributaries to Clear Shade Creek, classified for the following use(s): exceptional value. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: June 21, 2019.

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

The following outfalls discharge to unnamed tributary to Clear Shade Creek

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

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

*Outfalls: 001, 003, 005*

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.0
Manganese (mg/l)	1.0	2.0	2.0
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	20.0	40.0	40.0
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. PA0269573 (Mining Permit No. 17060101), Waroquier Coal Company**, P.O. Box 128, Clearfield, PA 16830, renewal of an NPDES permit for bituminous surface mining in Lawrence Township, **Clearfield County** affecting

203.0 acres. Receiving stream(s): Unnamed Tributaries to Little Clearfield Creek, classified for the following use(s): HQ-CWF. This receiving stream is included in the Clearfield Creek TMDL. Application received: June 11, 2019.

The following outfalls require a non-discharge alternative:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (TFG)	N
002 (TFH)	N
003 (TFI)	N
004 (TFJ)	N
005 (TFK)	N
006 (SPA)	N
007 (SPB)	N
008 (SPC)	N
009 (SPD)	N
010 (SPE)	N
011 (SPL)	N
012 (SPM)	N
013 (SPN)	N

There is no proposed surface discharge from the previously listed facilities to the receiving stream due to the implementation of Best Management Practices in the form of a discharge manifold. Instantaneous maximum BAT limits will be applied to the outfall effluent entering the discharge manifold for the protection of the groundwater.

The following outfalls discharge to Unnamed Tributaries to Little Clearfield Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
006—013 (Sediment Pond Emergency Spillways)	N

The only potential point source discharges to surface water are the discharges from the emergency spillways of these sediment ponds during precipitation that exceeds a 10 year/24 hour event. Effluent limits for the emergency spillways are as follows:

*Outfalls: 006-013 Sediment Pond Emergency Spillway  
(During >10-yr/24-hr Precipitation Event)*

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/L)	N/A	N/A	1.5
Total Manganese (mg/L)	N/A	N/A	1.0
Total Aluminum (mg/L)	N/A	N/A	0.75
Total Suspended Solids (mg/L)	N/A	N/A	10.0

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

Alkalinity must exceed acidity at all times.

*Noncoal NPDES Draft Permits*

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

**NPDES Permit No. PA0223948** on Surface Mining Permit No. 22880301. **Rocky Licensing Corp.** (P.O. Box 3331, Harrisburg, PA 17105), renewal of an NPDES Permit for a limestone quarry operation in Lower Swatara Township, **Dauphin County**, affecting 143.1 acres. Receiving stream: Swatara Creek, classified for the following use: warm water fishes. Application received: July 17, 2018.

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

The following outfall discharges to Swatara Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Pitwater/Stormwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Discharge (MGD)		1.5		
Total Suspended Solids		35.0	70.0	90.0

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

**NPDES Permit No. PA0224073** on Surface Mining Permit No. 64000301. **H & K Group, Inc.** (P.O. Box 196, Skippack, PA 19474), renewal of an NPDES Permit for a sandstone and shale quarry operation in Lebanon Township, **Wayne County**, affecting 225.0 acres. Receiving stream: Big Brook, classified for the following uses: EV—cold water and migratory fishes. Application received: October 22, 2018.

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

The following outfalls discharge to Big Brook.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
HM001	No	Pit Water/Stormwater
HM002	No	Stormwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Discharge HM001 (MGD)		0.05	0.05	
Discharge HM002 (MGD)		0.02	0.02	
Total Suspended Solids		10.0	20.0	25.0
Turbidity NTU				40.0

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

**NPDES Permit No. PA0121592** on Surface Mining Permit No. 7775SM4. **Lehigh Cement Co., LLC** (7660 Imperial Way, Allentown, PA 18195), renewal of an NPDES Permit for a limestone quarry operation in Upper Nazareth and Lower Nazareth Townships, **Northampton County**, affecting 255.0 acres. Receiving stream: unnamed tributary to East Branch of Monacacy Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: June 24, 2019.

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

The following outfall discharges to unnamed tributary to East Branch of Monacacy Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Groundwater & Stormwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Discharge (MGD)		0.85	5.4	
Total Suspended Solids		35.0	70.0	90.0
Turbidity NTU (HQ & EV Only, MDT/Mech. Control)				40.0
TDS (mg/l)		Monitor	and	Report

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

**NPDES Permit No. PA0594261** on Surface Mining Permit No. 5273SM1. **H & K Group, Inc.** (P.O. Box 196, Skippack, PA 19474), renewal of an NPDES Permit for a gneiss quarry operation in Aston Township, **Delaware County**, affecting 37.08 acres. Receiving stream: Chester Creek, classified for the following use: trout stocking fishes. Application received: July 26, 2019.

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

The following outfall discharges to Chester Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
PM001	No	Pit Water/Stormwater

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH <sub>1</sub> (S.U.)	6.0			9.0
Discharge (MGD)		0.13	0.50	
Total Suspended Solids		35.0	70.0	90.0
TDS (mg/l)			Monitor and Report	

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

**NPDES Permit No. PA0119229. Eureka Stone Quarry, Inc.** (P.O. 249, Chalfont, PA 18914), on Surface Mining Permit Nos. 6576SM1 and 45970301, renewal of an NPDES Permit for a argillite quarry operation in Hamilton Township, **Monroe County**, affecting 226.7 acres. Receiving stream: unnamed tributary to McMichael Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: August 5, 2019.

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

The following outfall discharges to unnamed tributary to McMichael Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Stormwater

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

Parameter	Minimum	30-Day Average	Daily Maximum	Instantaneous Maximum
pH <sup>1</sup> (S.U.)	6.0			9.0
Discharge		0.01-0.05 MGD		5,030 GPM
Total Suspended Solids (mg/L)		35.0	70.0	90.0
Turbidity (NTU)		40.0	80.0	100.0
Oil and Grease (mg/L)			Monitor and Report	

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

**NPDES Permit No. PA0009407** on Surface Mining Permit No. 7174SM1. **Hempt Bros., Inc.** (205 Creek Road, Camp Hill, PA 17011), renewal of an NPDES Permit for a limestone quarry operation in Swatara Township and Steelton Borough, **Dauphin County**, affecting 213.3 acres. Receiving stream: unnamed tributary to Susquehanna River, classified for the following uses: warm water and migratory fishes. Application received: September 13, 2019.

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

The following outfall discharges to unnamed tributary to Susquehanna River.

Outfall No.	New Outfall Y/N	Type
001	No	Stormwater

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

Parameter	Minimum	30-Day Average	Daily Maximum	Instantaneous Maximum
pH <sup>1</sup> (S.U.)	6.0			9.0
Discharge (MGD)		1.6		
Total Suspended Solids		35.0	70.0	90.0
TDS (mg/l)			Monitor and Report	
Oil and Grease (mg/l)			Monitor and Report	

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

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should

contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5160.*

**E46-1195: Stoudt's Ferry Preparation Company**, P.O. Box 279, St. Clair, PA 17970, Upper Merion Township, **Montgomery County**, ACOE Philadelphia District.

To demolish and remove an existing temporary access road stream crossing, including accumulated material and to restore the disturbed areas along the Crow Creek (WWF, MF) associated with the expired Temporary Road Crossing General Permit GP-8.

The site is located about 50 feet north of Abrams Road abuts the railroad track (Valley Forge, PA USGS Quadrangle, Latitude: 40.115229; Longitude: -75.380202) in Upper Merion Township, Montgomery County.

**E15-914: Columbia Gas Transmission, LLC**, 1700 MacCorkle Ave. SE, Charleston, WV 25325, Wallace and Nantmeal Townships, **Chester County**, ACOE Philadelphia District.

Columbia Gas Transmission, LLC, is proposing to install 1,700 feet and 3,400 feet of linear anodes along the existing natural gas pipeline using the method of open trench and is associated with the Line 1804 Turnpike

Linear Anode Project. There is a total of three (3) wetlands and two (2) stream crossings which include the following:

1. To install and maintain 547 feet of anode within wetland 1 (PEM) resulting in 547 square feet (0.013 acre) of permanent impact and 22,601 square feet (0.519 acre) of temporary wetland impacts (USGS PA Downingtown; Wagontown Quadrangle—Latitude 40.099137, Longitude 75.756514 W).

2. To install and maintain 5 feet of anode within wetland 2 (PEM) resulting in 5 square feet (0.0001) of permanent wetland impact and 231 square feet (0.005 acre) of temporary wetland impact due to the placement of timber matting for construction (USGS PA Downingtown; Wagontown Quadrangle—Latitude 40.099510, Longitude 75.751624 W).

3. To install and maintain linear anode adjacent to wetland 3 (PEM) resulting in 1,173 square feet (0.027 acre) of temporary wetland impact due to the placement of timber matting for construction (USGS PA Downingtown; Wagontown Quadrangle—Latitude 40.100740, Longitude 75.750084 W).

4. To construct and maintain a temporary bridge structure over Water 1 (Unnamed tributary to Marsh Creek, HQ-TSF, MF) to facilitate the installation and maintenance of 7 linear feet of anode resulting in 7 linear feet (7 square feet) of permanent watercourse impact, 217 square feet of permanent floodway impact, 136 linear feet (688 square feet) of temporary watercourse impact and 10,149 square feet of temporary floodway impact. This activity also includes the installation of impervious trench plugs (USGS PA Downingtown; Wagontown Quadrangle—Latitude 40.099510, Longitude 75.751624 W).

5. To construct and maintain a temporary bridge structure over Water 2 (Unnamed tributary to Marsh Creek, HQ-TSF, MF) to facilitate the installation and maintenance of 7 linear feet of anode resulting in 7 linear feet (7 square feet) of permanent watercourse impact, 136 square feet of permanent floodway impact, 49 linear feet (91 square feet) of temporary watercourse impact and 5,905 square feet of temporary floodway impact. This activity also includes the installation of impervious trench plugs (USGS PA Downingtown; Wagontown Quadrangle—Latitude 40.099069, Longitude 75.55493 W).

Project work areas are located within existing pipeline right-of-way at both the east side and west side of I-76 in Wallace and Nantmeal Townships, Chester County.

**E23-552: Delaware County**, 201 West Front Street, Media, PA 19063, Newtown Township, **Delaware County**, ACOE Philadelphia District.

To remove the old existing bridge and to construct and maintain at the same location a 45 ft. long by 22 ft. wide by 5.83 ft. high single span composite prestress concrete bridge in and along the 100-year floodway of Darby Creek.

This permit application will also include a temporary single span truss bridge of 100 ft. long by 18 ft. wide by 8 ft. high located 30–40 feet downstream during the reconstruction of the new bridge.

The new proposed bridge is located near the intersection of St. David's Road and Upper Mill Road (Paper Mill Road Over Darby Creek) (Valley Forge USGS Map Latitude: 40.014772; Longitude: -75.397693) in Newtown Township, Delaware County.

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

**E6703119-008: PA Department of Transportation Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1699 in Manchester Township, **York County**, U.S. Army Corps of Engineers Baltimore District.

To 1) remove the existing two-span bridge structure and 2) construct and maintain a single-span, composite steel plate girder bridge with a normal clear span of 79-feet, 5.25-inches, an overall all out to out width of 109.5-feet, and an underclearance of 4.88-feet, resulting 161 linear feet (12,783 square feet) of permanent and 52 linear feet (3,175 square feet) of temporary impacts to Mill Creek (WWF, MF), and 0.02 acre (1,281 square feet) of permanent impact to a palustrine emergent wetland, 3) perform stream channel grading within Mill Creek, maintaining a low flow channel with a 30-foot bottom width, 2:1 (H:V) side slopes, and a floodplain bench, resulting in 117 linear feet (8,424 square feet) of permanent impacts to Mill Creek (WWF, MF), 4) install and maintain a temporary stream crossing for construction access, resulting in 114 linear feet (4,218 square feet) of temporary impacts in and across Mill Creek (WWF, MF and 0.09 acre (3,937 square feet) of temporary impact to a palustrine emergent wetland, 5) install and maintain a 30-inch outfall pipe and outlet protection, resulting in 1,330 square feet of permanent impact in and along the floodway of Mill Creek (WWF, MF), and 0.00046 acre (20 square feet) of permanent impact to a palustrine emergent wetland, 6) install and maintain a 36-inch outfall pipe and outlet protection, resulting in 253 square feet of permanent impact in and along the floodway of Mill Creek (WWF, MF) all for the purpose of improving transportation safety and roadway standards. Permanent wetland loss acreages are de minimis and replacement is not required. The project is located along SR0462-052 in York County (Latitude: 39.972965, Longitude: -76.694584). This project is an early action safety project that is part of a larger ongoing phased project identified as the "North York Widening" project.

**E6703219-004: Fairview Crossroads, LLC**, 217 Highland Terrace Way, Boiling Springs, PA 17007 in Fairview Township, **York County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to enclose 1,909 linear feet of Unnamed Tributaries (UNTs) to Yellow Breeches Creek (CWF) and place and maintain fill in ten (10) separate Palustrine Emergent (PEM) and Palustrine Scrub Shrub (PSS) wetlands in the watershed of Yellow Breeches Creek (CWF) totaling 1.15 acre for the purpose of constructing a mixed use commercial building site (Latitude: 40° 12' 22.19"; Longitude: -76° 52' 36.36"). The project is located in the southwest quadrant of the intersection of I-83 and the PA Turnpike in Fairview Township, York County. The applicant proposes 2,571 linear feet of stream/floodplain restoration to a UNT to Yellow Breeches Creek (CWF) and the creation of 2.51 acres of PEM and PSS wetland on-site as compensatory mitigation for stream and wetland impacts.

**E6703219-005: Hillwood Enterprises, L.P.**, 4507 North Front Street, Suite 302, Harrisburg, PA 17110 in East Manchester Township, **York County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to place and maintain fill in nine (9) separate Palustrine Emergent (PEM) wetlands in the watershed of Little Conewago Creek (TSF-MF) total-

ing 0.57 acre for the purpose of constructing a warehouse/distribution facility (Latitude: 40.0707; Longitude: -76.7447). The project is located near the intersection of Canal Road and Locust Point Road in East Manchester Township, York County. The applicant proposes 0.60 acre of PEM and Palustrine Forested (PFO) wetland as compensatory mitigation for wetland impacts.

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

**E65-995-A1, Derry Township Municipal Authority**, P.O. Box 250, New Derry, PA 15671, Derry Township, Salem Township, and New Alexandria Borough, **Westmoreland County**; Pittsburgh ACOE District.

The applicant proposes to:

1. Permanently impact 483 linear feet of stream, including 10 trail crossings of streams. Streams impacts include Loyalhanna Creek (WWF), McCune Run (WWF), and unnamed tributaries to McCune Run (WWF);

2. The trail will also permanently impact 0.28 acre of wetland overall, including 11 wetland crossings. Wetland types impacted include PEM, PSS, and PFO and permanently impact 0.49 acre of floodplain;

For the purpose of constructing a 2.86-mile hiking and biking trail from Keystone State Park to New Alexandria. The trail will be 10 feet in width and for the majority of the route will follow the previously authorized (E65-995) Keystone Area Sanitary Sewer Project.

Two bridges are proposed to span Loyalhanna Creek, and five bridges will span McCune Run. Two culverts will be installed permanently impacting a UNT to McCune Run. A six foot wide, 130 foot long raised walking surface will be installed under SR 981 through the existing open bottom arch culvert carrying McCune Run.

The project site is located off Slag Road, between SR 981 and Loyalhanna Creek, Saltsburg & Latrobe, PA USGS topographic quadrangle; N: 40°, 22', 33"; W: -79°, 24', 37"; Sub-basin 18C; USACE Pittsburgh District), in Derry & Salem Township & New Alexandria Borough, Westmoreland County.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA6703219-003: York City**, 101 South George Street, York, PA 17401, in York City, **York County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to 1) restore and maintain 3,782 linear feet of an Unnamed Tributary to Codorus Creek (WWF-MF) and its floodplain by means of creating a floodplain bench and stabilized side slopes, and 2) replace and maintain two existing pedestrian bridges. The project is located between Edgar Street and Vander Ave in York City, York County (39.953969°, -76.712684°). No wetland impacts are proposed.

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

**D06-300EA. Robert Marrella**, Owner, RM Paper Mill, LLC, 1820 Van Reed Road, Wyomissing, PA 19610, Lower Heidelberg and Spring Townships, **Berks County**, USACOE Philadelphia District.

Project proposes to remove the Paper Mill Dam to eliminate a threat to public safety and to restore approximately 2,800 feet of stream channel to a free-flowing

condition. The project is located across Cacoosing Creek (CWF, MF) (Reading, PA Quadrangle, Latitude: 40.3651; Longitude: -75.9938).

#### EROSION AND SEDIMENT CONTROL PERMITS

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

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

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

Following the 30-day comment period, the appropriate regional office water management program manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board (Board).

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

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

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

*Southwest District Oil and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E30-07-018, EQT Production Company**, 400 Woodcliff Drive, Canonsburg, PA 15317. EQT Production Company is proposing to construct a temporary access road and pad to plug the existing Morris, G. 355 well. The proposed temporary access road will temporarily impact 0.355 acre of a PEM wetland and 22 LF of a UNT to South Fork Tenmile Creek with the placements of timber mat bridges. The proposed well pad will temporarily impact 0.029 acre of floodway associated with South Fork Tenmile Creek.

Once the well is plugged the entire plugging site will be restored to pre-existing conditions.

The project was submitted as a Joint Permit Application to cover the large crossing length (~697 LF) of the PEM wetland.

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**ACTIONS**


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**THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT**
**FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS**

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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**I. NPDES Renewal Permit Actions.**


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*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>
PA0062341 (Sewage)	Aqua Pennsylvania Wastewater Inc. Woodloch Springs STP 2 Woodloch Springs Hawley, PA 18428	Pike County Lackawaxen Township	Teedyuskung Creek (HQ-CWF, MF) (1-B)	Yes
PA0061328 (Sewage)	Plum Creek Municipal Authority STP 686 Berne Drive Auburn, PA 17922-9092	Schuylkill County South Manheim Township	Plum Creek (CWF) (3-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0247031 CAFO	Keystone Dairy Ventures LLC 324 Balance Meeting Rd Peach Bottom, PA 17563-9507	Little Britain Township Lancaster County	Watershed(s) Conowingo Creek (CWF, MF), Little Conowingo Creek (HQ-CWF, MF), and Conowingo Creek (HQ-CWF, MF)	N
PA0260550 CAFO	Galen L Nolt Farm 222 Little Britain Church Rd Peach Bottom, PA 17563-9620	Fulton Township Lancaster County	Watershed(s) Unnamed Tributary to Conowingo Creek (HQ-CWF, MF)	N
PA0087700 SEW	South Londonderry Campbelltown East STP 27 W Market Street Palmyra, PA 17078-8736	South Londonderry Township Lebanon County	Killinger Creek (TSF) (7-D)	N
PA0088676 SEW	Creek View Community 493 Potato Road Carlisle, PA 17015-8938	Upper Frankford Township Cumberland County	Conodoguinet Creek (WWF, MF) in Watershed(s) 7-B	Y
PA0028592 SEW	Bonneauville STP 46 E Hanover Street Gettysburg, PA 17325	Bonneauville Borough Adams County	Chicken Run (WWF) (13-D)	N
PA0081833 SEW	SK Part II Ltd 6085 Delta Road Delta, PA 17314-9209	Peach Bottom Township York County	Unnamed Tributary to Scott Creek (CWF (existing use)) in Watershed(s) 7-I	Y
PA0032379 IW	Safe Harbor Water Power Corp 1 Powerhouse Drive Conestoga, PA 17516-9651	Manor Township Lancaster County	Conestoga River (WWF) in Watershed(s) 7-J and Susquehanna River (WWF) in Watershed(s) 7-J	Y
PA0081353 SEW	Crowe Transportation 2388 N Market Street Elizabethtown, PA 17022-1141	West Donegal Township Lancaster County	Unnamed Tributary to Conewago Creek (TSF) in Watershed(s) 7-G	N
PA0265934 CAFO	David S Morrow 237 Briar Lane Loysville, PA 17047-9154	Southwest Madison Township Perry County	Watershed(s) Cisna Run (HQ-CWF, MF)	N
PA0087165 SEW	Bleyer Gift Packs, LLC 80 Voice Road Carle Place, NY 11514	Mount Union Borough Huntingdon County	Juniata River (WWF) 12-C	Y

*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>
PA0115291 (Sewage)	Snydertown Borough Sewer System 61 S Main Street Sunbury, PA 17801-5675	Northumberland County Snydertown Borough	Shamokin Creek (WWF) (6-B)	Yes
PA0208752 (Industrial)	Daniel J. Brigham Elk Creek Fisheries 515 Millheim Narrows Rebersburg, PA 16872-8907	Centre County Miles Township	Unnamed Tributary to Elk Creek (EV, MF) and Unnamed Tributary to Elk Creek (6-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>
PA0097730	Charles Kost SRSTP 329 Beagle Club Road Cowansville, PA 16218	Sugarcreek Township Armstrong County	Mahoning Creek 17C	Y

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

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

**NPDES Permit No. PA0266990**, Sewerage, **John Pepple**, 1954 French Creek Road, Everett, PA 15537.

This proposed facility is located in East Providence Township, **Bedford County**.

Description of Proposed Action/Activity: Authorization to discharge to Watershed 11-D.

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

**NPDES Permit No. PA0255599**, Sewage, SIC Code 8800, **Ihrig Jeffrey**, 320 Ross Road, Eighty Four, PA 15330.

This proposed facility is located in North Strabane Township, **Washington County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0255581**, Sewage, **Clayton Jackson**, 130 White Street, Washington, PA 15301.

This proposed facility is located in Canton Township, **Washington County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage to replace malfunctioning on-lot system.

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

**NPDES Permit No. PA0272361**, Sewage, SIC Code 8800, **William Girardi**, 132 Washington Street, Freeport, PA 16229.

This proposed facility is located in South Buffalo Township, **Armstrong County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0272337**, Sewage, SIC Code 8800, **Brenda Fitch**, 510 Columbia Hill Road, Smethport, PA 16749.

This proposed facility is located in Otto Township, **McKean County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

**NPDES Permit No. PA0272345**, Sewage, SIC Code 8800, **Brenda Fitch**, 510 Columbia Hill Road, Smethport, PA 16749.

This proposed facility is located in Keating Township, **McKean County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage.

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

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

**WQM Permit No. 0619402**, Sewerage, **Sinking Spring Borough**, 3940 Penn Avenue, Sinking Spring, PA 19608-1168.

This facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity:

This Permit approves construction/operation of sewage facilities consisting of:

Replacement of 2,939 L.F. 10-inch existing sanitary sewer collection system along Broad Street with 15-inch SDR35 PVC sanitary sewer collection system including manholes.

**WQM Permit No. 0119401**, Sewerage, **Lake Meade Municipal Authority**, 59 Curtis Drive, East Berlin, PA 17316-9220.

This facility is located in Reading Township, **Adams County**.

Description of Proposed Action/Activity:

This permit approves modification of sewage facilities consisting of:

The replacement of approximately 1,600 linear feet of the existing 4" PVC forcemain with 6" PVC forcemain from a point approximately 200 ft west of the intersection of Curtis Drive and Lake Meade Drive up to existing manhole # 61. The project will also include the installation of a new air/vacuum valve at project STA 3+06.

**WQM Permit No. 0719404**, Sewerage, **White Deer Run LLC dba Cove Forge Behavioral Health System**, 202 Cover Forge Road, Williamsburg, PA 16693.

This facility is located in Woodbury Township, **Blair County**.

## Description of Proposed Action/Activity:

This permit approves the construction of sewage facilities consisting of:

- Two (2) Influent pumps which are at least 5 HP and are capable of lifting 81' of dynamic head.
- Grinder/Comminuter
  - One treatment tank consisting of two (2) train Continuous flow sequencing batch reactor (CSBR) with a minimum of 0.044 MG and a sludge holding tank with a minimum volume of 0.0042 MG. The dimensions of the CSBR are 13.5' W × 12' H × 42' L and a SWD of 10.5'.
- For the CSBR aeration tank, two (2) positive displacement blowers rated at 200 SCFM at 5.3 PSIG, 10 HP motor.
- For the digesters, two (2) positive displacement blowers rated at 20 SCFM at 5.6 PSIG, 2 HP motor.
- UV disinfection system
- Post aeration and effluent flow metering

**WQM Permit No. WQG0221902**, Sewerage, **Lemoyne Municipal Authority**, 3 Lowther Street, Lemoyne, PA 17043-2029.

This facility is located in Lemoyne Borough, **Cumberland County**.

## Description of Proposed Action/Activity:

This Permit approves the construction and operation of: pump station.

**WQM Permit No. 0519402**, Sewerage, **John J. Pepple**, 1954 Frech Creek Road, Everett, PA 15537.

This facility is located in East Providence Township, **Bedford County**.

## Description of Proposed Action/Activity:

This permit approves the construction of a single family sewage treatment plant to serve a single family residence located on 2251 French Creek Road, Everett, PA 15537.

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

**WQM Permit No. 6319409**, Sewage, SIC Code 8800, **Ihrig Jeffrey**, 320 Ross Road, Eighty-Four, PA 15330.

This proposed facility is located in North Strabane Township, **Washington County**.

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

**WQM Permit No. 6319408**, Sewage, **Jackson Clayton L**, 130 White Street, Washington, PA 15301.

This proposed facility is located in Canton Township, **Washington County**.

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

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

**WQM Permit No. 0319401**, Sewage, **William Girardi**, 132 Washington Street, Freeport, PA 16229.

This proposed facility is located in South Buffalo Township, **Armstrong County**.

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

**WQM Permit No. 4219401**, Sewage, **Brenda Fitch**, 510 Columbia Hill Road, Smethport, PA 16749.

This proposed facility is located in Otto Township, **McKean County**.

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

**WQM Permit No. 4219402**, Sewage, **Brenda Fitch**, 510 Columbia Road, Smethport, PA 16749.

This proposed facility is located in Keating Township, **McKean County**.

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

**WQM Permit No. 2519417**, Sewage, **Harborcreek Township Sewer Authority**, 5601 Buffalo Road, Harborcreek, PA 16421.

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

Description of Proposed Action/Activity: Construction of gravity sewer from Nagle Road along Iroquois Avenue and East Lake Road to the City of Erie connection at Franklin Avenue.

**WQM Permit No. 2570403 A-1**, Sewage, **Harborcreek Township Sewer Authority**, 5601 Buffalo Road, Harborcreek, PA 16421.

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

Description of Proposed Action/Activity: Replacement of Six Mile Creek Pump Station and construction of equalization tank.

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**IV. NPDES Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Individual Permits Issued.**


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

<i>NPDES Permit No.</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI133537	Upper Leacock Township Lancaster County 36 Hillcrest Avenue Leola, PA 17540-1810	Upper Leacock Township Lancaster County	Unnamed Tributary to Conestoga River (WWF, MF), Conestoga River (WWF, MF), and Unnamed Tributary of Mill Creek (WWF, MF)/WWF and MF	Y	Y

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


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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390120	Depot Properties, LLC 2310 S. Redwood Ave. Independence, MO 64057	Lehigh	Lower Macungie Township	Swabia Creek (HQ-CWF, MF)

*Luzerne Conservation District, 325 Smiths Pond Road, Shavertown, PA 18708.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD400027	Farm at Harveys Lake, LLC 156 Fire House Road Dallas, PA 18612	Luzerne	Harveys Lake Borough	UNT to Harveys Creek (HQ-CWF, MF)

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

*Indiana County Conservation District, 350 North 4th Street, Indiana, PA 15701, 724-471-4751.*

*Erie County Conservation District, 1927 Wager Road, Erie, PA 16509, 814-825-6403.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD320005	Hillsdale Mennonite Church 112 Winemiller Lane Clymer, PA 15728	Indiana	Green Township	Tributary to Cush Cushion Creek HQ-CWF
PAD250004	Scott's Development Company 2225 Downs Drive Erie, PA 16509	Erie	Erie City	Lake Erie CWF; MF

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


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

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


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PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application

PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

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

*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>
Liberty Township Adams County Issued	PAC010122	David & Heather E. Jones 7958 Bonnie Briar Loop Gainesville, VA 20155	Flat Run (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Conewago Township Adams County Issued	PAC010095	Smith's Specialized Automotive, LLC 1374 Carlisle Pike Hanover, PA 17331-9472	UNT South Branch Conewago Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Upper Bern Township Berks County Issued	PAC060209	Jeff Rohrer 275 Naftzingertown Road Mohrsville, PA 19541	UNT Leshar Run (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Penn Township Berks County Issued	PAC060016	Falla Development, LP 106 Lakeview Drive Harleysville, PA 19438	North Kill Creek (CWF-MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Lower Swatara Township Dauphin County Issued	PAC220147	Ovidio Irizarry, Jr. United Parcel Service 55 Glen Lake Parkway NE Atlanta, GA 30328	Swatara Creek (WWF, MF)	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717.921.8100

## NOTICES

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<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>
Greene Township Franklin County Issued	PAC280116	Susquehanna Area Regional Airport Authority 1 Terminal Drive Suite 300 Middletown, PA 17057	UNT Conococheague Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Township Franklin County Issued	PAC280122	Ronald B. Martin 1400 East Main Street Waynesboro, PA 17268	Red Run (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAC280175	Mann Investments 6210 Lincoln Way East Fayetteville, PA 17222	Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Southampton Township Franklin County Issued	PAC280170	Ivan Lamar Leid 2802 McClays Mill Road Shippensburg, PA 17257	Middle Spring Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Township Franklin County Issued	PAC280169	Ronald B. Martin 1400 East Main Street Waynesboro, PA 17268	UNT East Branch Antietam Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAC280171	Elam Reiff 275 Goodhart Road Shippensburg, PA 17257	Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Letterkenny Township Franklin County Issued	PAC280164	Justin Brubaker 10056 Blue Jay Creek Orrstown, PA 17244	UNT Muddy Run (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Greene Township Franklin County Issued	PAC280166	Driftwood Group 4961 Cumberland Highway Chambersburg, PA 17202	Conococheague Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499

<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>
Quincy Township Franklin County Issued	PAC280150	Presbyterian Senior Living 1 Trinity Drive Suite 201 Dillsburg, PA 17019	West Branch Antietam Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Antrim Township Franklin County Issued	PAC280114	Matrix Antrim Land Forsgate Drive CN 4000 Cranbury, NJ 08512	Paddy Run (WWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Quincy Township Franklin County Issued	PAC280161	Charlie Pentz 8080 Mentzer Gap Road Waynesboro, PA 17268	West Branch Antietam Creek (CWF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Hamilton Township Franklin County Issued	PAC280159	Laurich Developers 3745 Lincoln Way West Chambersburg, PA 17202	UNT Back Creek (TSF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Washington Township Franklin County Issued	PAC280107	Ted Snowberger 10880 Rinehart Drive Waynesboro, PA 17268	East Branch Antietam Creek (CWF, MF)	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17202 717.264.5499
Springettsbury Township York County Issued	PAC670341	Clair Hostetter 255 Butler Avenue Suite 300 Lancaster, PA 17601	UNT to Codorus Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Fairview Township York County Issued	PAC670325	Poplar Ridge, LP P.O. Box 719 Mechanicsburg, PA 17055	UNT Yellow Breeches Creek (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Manchester Township York County Issued	PAC670277	Mid-Atlantic Interstate Transmission 2800 Pottsville Road Reading, PA 19605	UNT Little Conewago Creek (TSF, MF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430
Dover Township York County Issued	PAC670308	Michael Barshinger 655 Owen Road York, PA 17403	UNT Fox Run (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717.840.7430

*Facility Location:  
Municipality &  
County*York Township  
York County  
Issued*Permit No.*  
PAC670340*Applicant Name & Address*  
Charter Homes at Chanticleer  
1190 Dillerville Road  
Lancaster, PA 17601-3110*Receiving  
Water/Use*  
UNT Codorus Creek  
(WWF)*Contact Office &  
Phone No.*  
York County  
Conservation District  
118 Pleasant Acres  
Road  
York, PA 17402  
717.840.7430

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

*Facility Location and  
Municipality*

Cecil Township

*Permit No.*  
PAC630153*Applicant Name and Address*  
SPB Holdings, LLC  
108 Frosty Valley Road  
McMurray, PA 15317*Receiving  
Water/Use*  
McPherson Creek  
(WWF)*Contact Office and  
Phone No.*  
Washington County  
Conservation District  
50 Old Hickory  
Ridge Road  
Suite 1  
Washington, PA  
15301  
(724) 705-7098

*General Permit Type—PAG-13*

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

*Facility Location  
Municipality &  
County*Freeland Borough  
Luzerne County*Permit No.*  
PAG132279*Applicant Name & Address*  
Freeland Borough  
P.O. Box 148  
Freeland, PA 18224-1517*Receiving  
Water/Use*  
Unnamed Stream  
(CWF, MF)—5-D*Contact Office &  
Phone No.*  
DEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square  
Wilkes-Barre, PA  
18701-1915  
570.826.2511**STATE CONSERVATION COMMISSION****NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES  
PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN  
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Craig Finkbiner 2452 Free Spring Church Road McAlisterville, PA 17049	Juniata	632.7	984.90	Swine & Beef	NA	Approved
Blue Berry Hill Farm 2950 Centennial Rd Hanover, PA 17331	Adams	464.9 ac.	594.23 AEUs	Finishing Swine	NA	Approved
Hillandale Gettysburg LP 3910 Oxford Road Gettysburg, PA 17325	Adams	1,185.6	21,241.89	Poultry— layers	NA	Approved
Mailing address: Curtis Miller Miller's Poultry LLC 345 Church Road East Berlin, PA 17316	Adams	5.7	463.38	Poultry— turkeys	NA	Approved
Operation address: 580 Church Road East Berlin, PA 17316						
Mailing address: Milton Rotz Dairy 1015 Heritage Avenue Shippensburg, PA 17257	Adams	22.2	406.00	Dairy	NA	Approved
Operation address: 125 Oak Hill Road Biglerville, PA 17307						
Smith Station Acres 1871 Smith Station Rd Spring Grove, PA 17362	York	57	636.34	Poultry, Swine	NA	Approved
Hemlock Lane Farm LP 121 Hemlock Lane Williamsburg, PA 16693	Blair	653.2	759.45	Swine	UNT of the Frankstown Branch of the Juniata River (WWF), UNT of Yellow Spring Run (WWF), Roaring Run (WWF)	Approval
Linford Snyder Collette Pullet (Covered Bridge Road) Farm 334 Covered Bridge Road Pine Grove, PA 17963	Schuylkill	0	372.60	Poultry (Pullets)	NA	Approved
Pleasant View Farms, Inc. 261 Pleasant View Farms Rd. Martinsburg, PA 16662	Blair, Bedford	4,013.2	4,395.05	Dairy	Clover Creek (HQ-CWF), Piney Creek (HQ-CSF), Yellow Creek (HQ, CWF), Plum Creek (HQ-CWF), Potter Creek (HQ-CWF)	Approved



## PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

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

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

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### SAFE DRINKING WATER

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

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

**Permit No. 2409013, Operation Permit, Public Water Supply.**

Applicant	<b>Pennsylvania-American Water Company</b> 852 Wesley Drive Mechanicsburg, PA 17055
Municipality	Dallas Township and Luzerne Borough
County	<b>Luzerne</b>
Type of Facility	Public Water Supply
Consulting Engineer	Richard C. Dudek, P.E. Pennsylvania-American Water Company 2699 Stafford Avenue Scranton, PA 18505
Permit to Operate Issued	October 24, 2019

**Permit. No. 3519501MA, Public Water Supply.**

Applicant	<b>PA American Water</b> (Lake Scranton) 800 W. Hershey Park Drive Hershey, PA. 17033
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[Township or Borough]	Scranton City <b>Lackawanna County</b>
Responsible Official	Mr. David Kaufman Vice President-Engineering
Type of Facility	Public Water Supply
Consulting Engineer	Mr. Jeremy Nelson, PE PA American Water Company 2699 Stafford Avenue Scranton, PA 18505
Operation Permit Issued	09/30/2019

**Permit No. 2450018, Public Water Supply.**

Applicant	<b>Deer Run Mobile Home Community, LLC</b> 525 Second Street Apt # 12 Catasauqua, PA 18032
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[Township or Borough]	Hamilton Township, <b>Monroe County</b>
Responsible Official	Attention: Mr. Paul Cmil Deer Run Mobile Home Community, LLC 525 Second Street Apt # 12 Catasauqua, PA 18032

Type of Facility	PWS
Consulting Engineer	John R. Segursky, P.E. Uni-Tec Consulting Engineers, Inc.
Permit Issued Date	09/18/2019

**Permit No. 3480030-E1, Construction and Operation Permit, Public Water Supply.**

Applicant	<b>Aqua Pennsylvania, Inc.</b> 204 E. Sunbury Street Shamokin, PA 17872
Municipality	Moore Township
County	<b>Northampton</b>
Type of Facility	Public Water Supply
Consulting Engineer	Peter J. Lusardi, P.E. GHD, Inc. 1240 North Mountain Road Harrisburg, PA 17112

Permit to Construct Issued	October 8, 2019
Description of Action	Emergency Permit—Installation of a temporary manganese treatment system.

**Permit No. 3919502MA, Construction Permit, Public Water Supply.**

Applicant	<b>Lehigh County Authority</b> 1300 Martin Luther King Drive Allentown, PA 18102
Municipality	South Whitehall Township
County	<b>Lehigh</b>
Type of Facility	Public Water Supply

Consulting Engineer Jason G. Saylor, P.E.  
Utility Services Company, Inc.  
1230 Peachtree St. NE  
Suite 1100  
Atlanta, GA 30309

Permit to Construct Issued September 30, 2019

Description of Action Schantz Spring Raw Water Tank Renovations.

**Permit No. 3519504MA, Construction Permit, Public Water Supply.**

Applicant **James L. Black**  
Belle Aire Acres  
1184 Fernwood Road  
Lake Ariel, PA 18436

Municipality Jefferson Township

County **Lackawanna**

Type of Facility Public Water Supply

Consulting Engineer Michael E. Bisignani, P.E.  
Aqua Pennsylvania, Inc.  
1 Aqua Way  
White Haven, PA 18661

Permit to Construct Issued September 10, 2019

Description of Action 4-Log Treatment of Viruses.

**Permit No. 3919501MA, Construction Permit, Public Water Supply.**

Applicant **South Whitehall Township**  
4444 Walbert Avenue  
Allentown, PA 18104

Municipality South Whitehall Township

County **Lehigh**

Type of Facility Public Water Supply

Consulting Engineer Darryl A. Jenkins, P.E.  
Spotts, Stevens and McCoy  
1047 North Park Road  
P.O. Box 6307  
Reading, PA 19610

Permit Issued September 10, 2019

**Permit No. 4019502MA, Construction Permit, Public Water Supply.**

Applicant **Aqua Pennsylvania, Inc.**  
204 E. Sunbury Street  
Shamokin, PA 17872

Municipality Dallas Township

County **Luzerne**

Type of Facility Public Water Supply

Consulting Engineer Peter J. Lusardi, P.E.  
GHD, Inc.  
1240 North Mountain Road  
Harrisburg, PA 17112

Permit to Construct Issued August 16, 2019

Description of Action Yalick Farms Water Storage Tank Replacement.

**Permit No. 2350066, Operation Permit, Public Water Supply.**

Applicant **Belle Aire Acres**  
1184 Fernwood Road  
Lake Ariel, PA 18436

Municipality Jefferson Township

County **Lackawanna**

Type of Facility Belle Aire Acres Water System Public Water Supply

Consultant Joshua P. Shoff, E.I.T.  
Aqua Pennsylvania, Inc.  
1 Aqua Way  
White Haven, PA 18661

Permit Issued September 27, 2019

**Permit No. 2451075, Operation Permit, Public Water Supply.**

Applicant **CMBK Resort Holdings, LLC**  
100 St. Paul Street  
Suite 800  
Denver, CO 80206

Municipality Pocono Township

County **Monroe**

Type of Facility Camelback Resort Public Water Supply—Permit Transfer

Consultant Kenneth Ellis  
CBK Lodge, LP  
193 Resort Drive  
Tannersville, PA 18732

Permit Issued September 27, 2019

**Permit No. 2400053, Operation Permit, Public Water Supply.**

Applicant **Aqua Pennsylvania, Inc.**  
204 E. Sunbury Street  
Shamokin, PA 17872

Municipality Exeter Township

County **Luzerne**

Type of Facility Hex Acres Well No. 1 Reserve Designation Public Water Supply

Consultant Joshua P. Shoff, E.I.T.  
Aqua Pennsylvania, Inc.  
1 Aqua Way  
White Haven, PA 18661

Permit Issued September 18, 2019

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

**Permit No. 2819502 MA, Minor Amendment, Public Water Supply.**

Applicant **Mercersburg Water Authority**

Municipality Peters Township

County **Franklin**

Responsible Official Derek Stoy, Assistant Authority Manager  
113 South Main Street  
Mercersburg, PA 17236

Type of Facility Modifications to the existing PRV facility.

Consulting Engineer Lance S. Kegerreis, P.E.  
Dennis E. Black Engineering  
Inc.  
2400 Philadelphia Avenue  
Chambersburg, PA 17201

Permit to Construct 10/15/2019  
Issued

**Permit No. 5019505**, Public Water Supply.

Applicant **Miller Group Holdings LP**  
Municipality Penn Township  
County **Perry**  
Responsible Official Dan McMahon  
Project Manager  
950 East Main Street  
Suite 107  
Schuylkill Haven, PA 17972

Type of Facility Installation of iron and  
manganese removal treatment.

Consulting Engineer Sean Sweeney, P.E.  
Barton & Loguidice  
3901 Hartzdale Drive  
Camp Hill, PA 17011

Permit to Construct 10/21/2019  
Issued

**Permit No. 2119514 MA, Minor Amendment**, Public  
Water Supply.

Applicant **Cold Springs Inn & Brewing  
Company**  
Municipality Monroe Township  
County **Cumberland**  
Responsible Official Christopher P. Crowley  
Owner  
993 Park Place  
Mechanicsburg, PA 17055

Type of Facility Installation of 4-log treatment of  
viruses.

Consulting Engineer Sean Sweeney, P.E.  
Barton & Loguidice  
3901 Hartzdale Drive  
Camp Hill, PA 17011

Permit to Construct 10/17/2019  
Issued

**Permit No. 3619518**, Public Water Supply.

Applicant **Brickhouse Coffee and  
Kitchen**  
Municipality Strasburg Township  
County **Lancaster**  
Responsible Official Aaron Fisher Jr.  
Owner  
53 Refton Road  
Willow Street, PA 17584

Type of Facility A new water treatment system  
will be installed and consist of a  
new well, cartridge filtration,  
softening, nitrate treatment, and  
ultraviolet disinfection.

Consulting Engineer Thomas J. Whitehill, P.E.  
Whitehill Consulting Engineers  
763 Conowingo Rd  
Quarryville, PA 17566

Permit to Construct 10/17/2019  
Issued

**Permit No. 6719511 MA, Minor Amendment**, Public  
Water Supply.

Applicant **Dallastown-Yoe Water  
Authority**  
Municipality Dallastown Borough  
County **York**  
Responsible Official Patricia A. Myers  
Chairperson  
175 East Broad Street  
Dallastown, PA 17313

Type of Facility Replacement of the existing  
South Park Street standpipes  
with a new 750,000 gallon  
elevated tank and raising the  
elevation of the existing Denton  
Terrace elevated tank.

Consulting Engineer Charles A. Kehew II, P.E.  
James R. Holley & Associates,  
Inc.  
18 South George Street  
York, PA 17401

Permit to Construct 10/25/2019  
Issued

**Permit No. 0619511 MA, Minor Amendment**, Public  
Water Supply.

Applicant **Birdsboro Municipal  
Authority**  
Municipality Birdsboro Borough  
County **Berks**  
Responsible Official Anthony Tucci  
Authority Chairman  
202 East Main Street  
P.O. Box 340  
Birdsboro, PA 19508

Type of Facility Installation of a mixer in the 1.4  
MG Cocalico Road Storage Tank.

Consulting Engineer Darryl E. Jenkins  
SSM Group, Inc  
P.O. Box 6307  
Reading, PA 19610-0307

Permit to Construct 10/18/2019  
Issued

**Operation Permit No. 0110504** issued to: **New Ox-  
ford Municipal Authority (PWS ID No. 7010025)**,  
Oxford Township, **Adams County** on 10/25/2019 for  
facilities approved under Construction Permit No.  
0110504.

**Operation Permit No. 0617508** issued to: **WG  
America Company (PWS ID No. 3066531)**, Cumru  
Township, **Berks County** on 10/21/2019 for facilities at  
Easte Pointe Bottling Plant approved under Construction  
Permit No. 0617508.

**Operation Permit No. 2819507 MA** issued to: **Borough of Chambersburg (PWS ID No. 7280005)**, Greene Township, **Franklin County** on 10/17/2019 for facilities submitted under Application No. 2819507 MA.

**Operation Permit No. 5019509** issued to: **Suez Water Pennsylvania, Inc. (PWS ID No. 7220015)**, Marysville Borough, **Perry County** on 10/18/2019 for facilities approved under Construction Permit No. 5019509.

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

**Permit No. 4119504—Operation—Public Water Supply.**

Applicant	<b>Route 220 Holdings, LLC</b>
Township/Borough	Woodward Township
County	<b>Lycoming County</b>
Responsible Official	Mr. Gabe Hutchinson Route 220 Holdings, LLC 333 Rose Street Williamsport, PA 17701
Type of Facility	Public Water Supply—Operation
Consulting Engineer	Mr. Francis Catherine, P.E. P. Joseph Lehman, Inc. 117 Olde Farm Office Road Suite 113 Hollidaysburg, PA 16635
Permit Issued	October 25, 2019
Description of Action	Authorizes operation of the new MTBE removal system for the transient noncommunity public water system at the Route 220 Eatery. This approval includes Well No. 1 as a source of supply, the transmission line, two hydropneumatic tanks, parallel prefilters, parallel MTBE removal systems, and the distribution system.

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

**Operations Permit** issued to: **Ambridge Water Authority**, P.O. Box 257, 600 Eleventh Street, Ambridge, PA 15003, (**PWSID # 5040008**) Ambridge Borough, **Beaver County** on October 28, 2019 for the operation of facilities approved under Construction Permit # 0419514.

**Operations Permit** issued to: **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, (**PWSID # 5020039**) Union Township, **Washington County** on October 23, 2019 for the operation of facilities approved under Construction Permit # 0217554MA.

**Operations Permit** issued to: **Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055, (**PWSID # 5020039**) Smith Township, **Washington County** on October 23, 2019 for the operation of facilities approved under Construction Permit # 0218512.

**Operations Permit** issued to: **Coraopolis Water and Sewer Authority**, 1301 Fourth Avenue, Suite 1, Coraopolis, PA (**PWSID # 5020010**) Coraopolis Borough, **Allegheny County** on October 23, 2019 for the operation of facilities approved under Construction Permit # 0219511.

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

**Operation Permit** issued to **Eldred Township Municipal Authority, PWSID No. 6330840**, Eldred Township, **Jefferson County**. Permit Number 3386504-MA4 issued October 23, 2019 for the operation of the CausticSoda Chemical Feed system at the Municipal Well House.

<b>Permit No. 3319501</b> , Public Water Supply.	
Applicant	<b>Falls Creek Borough Municipal Authority</b>
Township or Borough	Sandy Township
County	<b>Clearfield</b>
Type of Facility	Public Water Supply
Consulting Engineer	Dave Cunningham, P.E. Keller Engineers 420 Allegheny Street Hollidaysburg, PA 16648
Permit to Construct Issued	October 23, 2019

<b>Permit No. 3719501</b> , Public Water Supply.	
Applicant	<b>Hickory Run Energy LLC</b>
Township or Borough	North Beaver Township
County	<b>Lawrence</b>
Type of Facility	Public Water Supply
Consulting Engineer	Andrew Fazel Kiewit 9401 Renner Boulevard Lenexa, KS 66219
Permit to Construct Issued	October 28, 2019

#### SEWAGE FACILITIES ACT PLAN APPROVAL

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.**

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

#### Plan Location:

Borough or Township	Borough or Township Address	County
Paradise Township	2 Township Drive Paradise, PA 17562	Lancaster

*Plan Description:* Approval is granted for a Minor Act 537 Update Revision for Paradise Township, Lancaster County. The project is known as the Oak Hill Drive Sewer Extension. The plan provides for extending sewer to serve 11 existing lots currently served by onlot disposal systems. The project is located on Oak Hill Drive and Black Horse Road. The Department's review of the sewage facilities Minor Update Revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this Minor Update Revision is A3-36943-203-3M and the APS ID is 313949. Any required NPDES Permits or WQM Permits must be obtained in the name of the Paradise Township Sewer Authority.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Franklin Township	150 Century Lane Dillsburg, PA 17019	York

*Plan Description:* Approval of a revision to the official plan of Franklin Township, York County. The project is known as Douglas Deverter. The plan provides for a small flow treatment facility (SFTF) proposal to replace a malfunctioning on-lot sewage disposal system serving an existing single-family residential dwelling on 0.97 acre. Total estimated sewage flows are 400 gpd, and there will be a proposed discharge to an un-named tributary of the North Branch of the Bermudian Creek. The proposed development is located at 310 Scotch Pine Road in Franklin Township, York County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-67923-309-3s and the APS Id is 998360. Any permits must be obtained in the name of the property owner.

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

### NOTICE OF PROPOSED INTERIM RESPONSE OR REMEDIAL RESPONSE

**Allen Road TCE site, South Middleton Township, Cumberland 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 Allen Road TCE site, South Middleton Township, Cumberland County, PA.

The Allen Road TCE site encompasses properties located in Carlisle Borough, South Middleton Township, North Middleton Township, West Pennsboro Township, and Dickinson Township in Carlisle, Cumberland County, PA.

The Allen Road TCE site consists of a mixture of residential, commercial, industrial, and agricultural properties. Residential properties are located along Allen Road, Ritner Highway, Alexander Spring Road, and Newville Road. Commercial and industrial facilities are generally located along Routes 11 and 641 and Interstate 81. Various warehouse distribution centers are located along Allen Road, Ritner Highway, Logistics Drive, Commerce Avenue, and Newville Road.

From September 19, 2008 to February 22, 2018, a total of ninety-seven properties were sampled for volatile organic compounds (VOCs). Of the ninety-seven properties that were sampled, forty-two came back with VOCs detected. During the investigation period, heavy redevelopment took place resulting in multiple residences being demolished; private wells being destroyed; and properties being connected to public water.

For the purposes of the Department's response, only Properties of Concern will be addressed. Properties of Concern consist of the remaining properties utilizing private wells where the primary constituents-of-concern (CoCs) Trichloroethylene (TCE), 1,1-dichloroethene (1,1-DCE), and 1,1,1-trichloroethane (1,1,1-TCA), and tetrachloroethylene PCE have been detected. Of the twenty-seven remaining properties with detections of CoCs, three properties had at least one CoC detected at a

concentration at or above the MCL (maximum contaminant level) in the groundwater supply wells.

548 Alexander Spring Road had a single exceedance of TCE in 2008 and has a point-of-entry treatment (POET) system installed by the property owner. The 1911 Ritner Highway is a residence that was provided a POET system by the Department. 1921 Ritner Highway, which serves as the office to Cumberland Valley Memorial Gardens had a single exceedance of TCE in 2013 and utilizes bottled water for employees and visitors.

The highest TCE concentrations for the Properties of Concern were detected at 1911 Ritner Highway at concentrations ranging from 10.8 to 57.4 g/L. The highest concentrations of 1,1-DCE were also detected at this property at concentrations ranging from 2.93 to 15.5 µg/L. PCE and 1,1,1-TCA were not detected above the MCL in any supply wells.

The proposed response for the Allen Road TCE Site (Site) will consist of a final response to reduce or eliminate the exposure of residents to water supplies contaminated with trichloroethylene (TCE). This action is taken to protect the public health or safety or the environment.

After considering institutional controls, bottled water, POET systems, and connection to the public water system as Alternatives 1 through 4 respectively; the Department is proposing Alternative 1, institutional controls, and Alternative 3, POET systems, as the Interim Response for the site.

The Department has already implemented Alternative 3 as a Prompt Interim Response and proposes Alternative 1 and Alternative 3 as a final response. Alternative 3 was initiated March 1, 2013 for 1911 Ritner Highway when concentrations of TCE exceeded the inhalation risk value of 25 ppb. Alternative 4 was considered but given the prohibitive cost to extend the water supply line along Ritner Highway, Alternative 3 was selected instead for 1911 Ritner Highway.

Alternative 3 was also considered for 1921 Ritner Highway. Since sample results only show a single exceedance of the TCE during the October 21st, 2013 sampling event and subsequent sample results show CoC's below the MCL, a Point of Entry Treatment system would not be necessary and standard Activity Use Limitations (AUL) would not be applicable. The total cost to implement the proposed response is estimated to be \$32,400.

This response will be carried out as a final remedial response pursuant to Section 504 of the Hazardous Sites Cleanup Act for the exposure of residents to water supplies using contaminated groundwater. Additional response action may be needed to achieve a complete, permanent and final cleanup for the site. Treatment technologies that address aquifer restoration and/or protection of the environment, such as ex-situ or in-situ treatment technologies, may be considered in the future provided a technically feasible and cost-effective approach can be developed.

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 can be examined Monday through Friday from 8:00 a.m. to 4:00 p.m. at the Department's Southcentral Regional Office located at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting Mr. Steven DeMars at 717-705-4832. The

administrative record is also located at 520 Park Drive, Boiling Springs, PA 17007 and is available for review Monday through Friday from 7:30 a.m. to 4:00 p.m.

The administrative record will be open for comment from November 9, 2019 until February 7, 2020. Persons may submit written comments into the record during this time only, by sending them to Mr. Steven DeMars at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200 or by delivering them to this office in person. In addition, persons may present oral comments, for inclusion in the administrative record, at a public hearing. The Department has scheduled the hearing on December 18, 2019 at 7:00 p.m. at 310 Allen Road, Carlisle, PA 17013. Persons wishing to present comments must register with Mr. DeMars before December 13, 2019 by telephone at the number listed above or in writing at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. If no person registers to present oral comments, by December 13, 2019, the hearing will not be held, but will be replaced with an informational meeting. Persons interested in finding out if anyone has registered should contact Mr. DeMars at the number listed above. 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 Mr. DeMars at the number listed above 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 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:

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

**E09 S Pad Brine Release**, 556 Carlson Road, Jones Township, **Elk County**. ARM Group, Inc., 1129 West Governor Road, P.O. Box 797, Hershey, PA 17033-0797, on behalf of Seneca Resources Company, LLC, 5800 Corporate Boulevard, Suite 300, Pittsburgh, PA 15237, submitted a Final Report concerning the remediation of site soil contaminated with Aluminum, Barium, Boron, Iron, Lithium, Manganese, Selenium, Strontium, Vanadium, Zinc, and Chloride. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 24, 2019.

### RENEWAL OF MUNICIPAL WASTE GENERAL PERMITS

**Renewal of a General Permit Issued Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**General Permit No. WMGM039SC006. Blair County Resource Recovery Facility, Inc.**, 1356 Old 6th Avenue Road, Altoona, PA 16601, located in Logan Township, **Blair County**. The Department has issued a renewal of General Permit No. WMGM039SC006 to Blair County Resource Recovery Facility, Inc. This general permit authorizes the processing and beneficial use of post-consumer asphalt shingles (tear-offs) and pre-consumer asphalt shingles (i.e., imperfections, tabs, trimming scraps, etc., generated in the manufacturing of new asphalt shingles and damaged, unused shingles) as an ingredient in hot-mix and cold-mix asphalt paving material, a component of a sub-base material, as dust control on rural roads when applied with a binder, and as a component or ingredient in fuel used in cement or manufacturing or in the generation of electricity or steam. The processing is limited to transferring, screening, shredding, grinding, sorting and magnetic removal of ferrous metal. This renewal was issued by the Department on October 28, 2019.

**REGISTRATION FOR GENERAL  
PERMIT—MUNICIPAL WASTE**

**Registration Issued Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities.**

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

**General Permit Registration No. WMGM037SE001. Waste Management of Pennsylvania, Inc.**, 5245 Bleigh Avenue, Philadelphia, PA 19136-4225. This registration renewal is to continue to operate under General Permit No. WMGM037SE001 for processing and conversion of municipal waste into a fuel product at the “WM Spec™ Facility” that is operating within the Forge Recycling and Resource Recovery Center, a municipal waste transfer and recycling facility, located at 5245 Bleigh Avenue, Philadelphia, PA 19136 in the City of Philadelphia. The registration renewal was issued by the Southeast Regional Office on October 4, 2019.

Persons interested in reviewing the general permit may contact the Pennsylvania Department of Environmental Protection (“DEP”) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

**General Permit Registration No. WMGM037SE002. L & S Demo Recycling Inc.**, 884 Brook Road, Conshohocken, PA 19428-1160. This registration renewal is to continue to operate under General Permit No. WMGM037SE002 for the processing of wood waste and transport as commodity in trade for beneficial use as an alternative fuel material with an energy content of at least 5,000 BTU/lb. The registration renewal was issued by the Southeast Regional Office on October 4, 2019.

Persons interested in reviewing the general permit may contact the Pennsylvania Department of Environmental Protection (“DEP”) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

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

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

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**General Permit No. WMGR028SC012A. Allan Myers L.P. dba Allan Myers Materials**, Paradise Asphalt Plant, 47 McIlvaine Road, Paradise, PA 17562-9604, located in Paradise Township, **Lancaster County**. The Department has issued a Determination of Applicability

under General Permit WMGR028 for the beneficial use of baghouse fines or scrubber pond precipitates, generated by hot-mix asphalt plants, for beneficial use as: (i) an aggregate in roadway construction, (ii) a soil additive, (iii) a soil conditioner or (iv) a component or ingredient in the manufacturing of construction products. This Determination of Applicability was issued on October 24, 2019.

Persons interested in reviewing the general permit may contact John Oren, P.E., Permits Section Chief, Southcentral Regional Office, Waste Management Program at 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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

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

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

**Permit No. 101069. Southeastern Chester County Refuse Authority (SECCRA)**, 219 Street Road, West Grove, PA 19390-9230. This permit is for the ten-year renewal to continue operation under Solid Waste Permit No. 101069 at the Southeastern Chester County Refuse Authority (SECCRA) Community Landfill, a municipal waste landfill located at 219 Street Road, West Grove, PA 19390 in London Grove Township, **Chester County**. The permit was issued by the Southeast Regional Office on October 4, 2019.

Persons interested in reviewing the permit may contact the Pennsylvania Department of Environmental Protection (“DEP”) Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

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

**Permit Application No. 300837. Keystone—Conemaugh Projects, LLC**, 313 Keystone Drive, Shelocta, PA 15774; Plumcreek Township; **Armstrong County**. On October 23, 2019 a permit was issued by the Northwest Regional Office to this coal ash landfill to both extend the permit term and change the name of the landfill. The new expiration date is now October 23, 2029.

GenOn Northeast Management Company, LLC submitted a permit renewal application to the Northwest Regional Office on April 11, 2019. The Keystone disposal site is a coal ash landfill seeking to renew their permit for another ten years of operation. The terms and conditions of the permit renewal would remain the same as the previous permit. The expiration date of the current permit is April 11, 2020. The application was determined to be complete on April 18, 2019.

A permit reissuance application was received for this facility on July 18, 2019. The Keystone Station Ash Disposal Site was owned by GenOn Northeast Management Company, LLC and is being transferred to Keystone—Conemaugh Projects, LLC. No changes to the permit other than ownership name are being proposed in this application.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.*

**AG5-58-00012A: Williams Field Services LLC** (310 State Route 29, Tunkhannock, PA 18657) on October 24, 2019 for the continued operation of the Gibson Compressor Station located in Gibson Twp., **Susquehanna County**.

**AG5-58-00013A: Williams Field Services LLC** (310 State Route 29, Tunkhannock, PA 18657) on October 24, 2019 for the continued operation of the White Compressor Station located in Springville Twp., **Susquehanna County**.

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

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

**GP3-34-03010B: Quarry Cut, Inc.** (77 Wells Road, P.O. Box 1020, Parker Ford, PA 19547) on October 24, 2019, for portable nonmetallic mineral processing equipment, including 1 crusher and 2 screens and 8 conveyors, under GP3, at the Stoudt Mine in Spruce Hill and Turbett Townships, **Juniata County**.

**GP11-34-03010B: Quarry Cut, Inc.** (77 Wells Road, P.O. Box 1020, Parker Ford, PA 19547) on October 24, 2019, for three non-road engines under GP11, to operate portable nonmetallic mineral processing equipment, at the Stoudt Mine in Spruce Hill and Turbett Townships, **Juniata County**.

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

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

**AG5-53-00001B: UGI Texas Creek, LLC** (835 Knitting Mills Way, Wyomissing, PA 19610) on October 16, 2019, for the continued operation of one 1,340 bhp Caterpillar G3516LE compressor engine; one 10 MMBscfd TEG dehydrator, equipped with a 0.25 MMBtu/hr reboiler; various pneumatic devices; periodic blowdowns; various fugitive emissions; and pigging operations, pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression Stations, Processing Plants, and Transmission Stations (BAQ-GPA/GP-5) at the Button 901 Compressor Station located in West Branch Township, **Potter County**.

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

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

**GP5-42-00243B: NFG Midstream Clermont, LLC, Clermont East Compressor Station** (6363 Main Street, Williamsville, NY 14221) on October 4, 2019, for the authority to continue operating existing natural gas

compression & associated facilities (BAQ-GPA/GP-5) located at their facility in Sergeant Township, **McKean County**.

**Plan Approvals Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

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

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

**23-0014J: Kimberly-Clark of PA, LLC** (Front & Avenue of the States, Chester City, PA 19013) on October 28, 2019, for installation of three (3) new diesel-fired emergency generator sets, each rated at 670.5 bhp for a total electrical production capacity of 1.5 megawatts at their facility in Chester City, **Delaware County**.

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

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

**06-05077E: Can Corporation of America, Inc.** (326 June Avenue, Blandon, PA 19510) on October 21, 2019, for revisions of the plan approval requirements for the can manufacturing plant located in Maiden Creek Township, **Berks County**. This plan approval is for the following items: 1.) Remove Source 104 (360 Spray Line); Change SG01 VOC emission limits from 7.25 lb/hr, 174 lb/day & 13.22 tpy to 2.57 lb/hr & 11.26 tpy; Change SG01 catalytic oxidizer VOC destruction efficiency from 92% to 80%.

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

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

**32-040C: Seward Generation LLC** (595 Plant Road, New Florence, PA 15944) on October 17, 2019 issued a Plan Approval for the proposed implementation of a Fuel Flexibility Program which will allow the facility to combust natural gas in the four limestone drying kilns in East Wheatfield Township, **Indiana County**. This is a Title V facility.

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

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

**IP19-000528: Hilton City and Homewood Suites** (4200 City Ave., Philadelphia, PA 19131) on October 25, 2019, for the installation of boilers, hot water heaters, and air handling units at two contiguous hotels, in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include six (6) boilers firing natural gas each rated less than 1 MMBtu/hr, three (3) hot water heaters firing natural gas each rated less than 1 MMBtu/hr, and two (2) air handling units firing natural gas rated 0.60 MMBtu/hr and 0.80 MMBtu/hr. The plan approval contains operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.



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**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**09-0009K: The Boeing Company** (P.O. Box 16858, Philadelphia, PA 19142) on October 24, 2019, a Minor Modification to plan approval 23-0009K for equipment to support the Common Configuration Readiness and Modernization (CCRAM) program, located in Ridley Township, **Delaware County**. The modification authorizes construction of three fewer new paint booths, for a total of 1 new construction, re-use of 2 existing paint booths, shutdown of 2 paint booths, rather than 4, and changes in specifications for an emergency generator and a boiler. There will be no changes in emissions limits with the modification.

**46-0013F: Clemens Food Group** (P.O. Box 902, 2700 Clemens Road, Hatfield, PA 1940-0902) on October 22, for removal and replacement of an existing control device (venturi scrubber (Source ID: C02)) and the installation of new control devices (venturi scrubber (Source ID: C13) and packed tower scrubber (Source ID: C14)) at the Rendering Plant in Chester City, **Delaware County**.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

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

**67-03069C: H & H Castings, Inc.** (4300 Lincoln Highway, York, PA 17406) on October 23, 2019, to replace the existing thermal sand reclamation system and associated fabric collector with a new thermal sand reclamation system and a fabric collector and cooling tower, at the facility in Hellam Township, **York County**. The plan approval was extended.

**21-05035B: Hempt Bros., Inc.** (205 Creek Road, Camp Hill, PA 17011) on October 24, 2019, for the installation and relocation of new and old crushing equipment and conveyors to make use of a surge pile, increasing maximum production capacity from 500 to 700 tons per hour at the existing limestone crushing plant located at the Locust Point Quarry in Silver Spring Township, **Cumberland County**. The plan approval was extended.

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

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

**18-00011K: Croda, Inc.** (8 Croda Way, Mill Hall, PA 17751) on October 18, 2019, to extend the authorization to construct the sources pursuant to the plan approval an additional 180 days from November 2, 2019 to April 30, 2020, at their Mill Hall Facility located in Bald Eagle Township, **Clinton County**. The plan approval has been extended.

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

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

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

**35-00025: Environmental & Recycling Services, Inc.** (1100 Union Street, Taylor, PA 18517-1604). The Department issued, on 10/24/19, a Title V Operating Permit renewal for operation of sources at a landfill in Taylor Borough, **Lackawanna County**. The sources on site one closed municipal solid waste landfill and one closed construction and demolition waste landfill both controlled by an enclosed ground flare through landfill gas management systems. Other sources on site include a diesel-fired emergency generator and woodworking operations. The Title V Operating Permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**54-00021: Pine Grove Landfill, Inc.** (193 Schultz Road, Pine Grove, PA 17963-8634). The Department issued, on 10/24/19, a Title V Operating Permit renewal for operation of sources at a landfill in Pine Grove Township, **Schuylkill County**. The sources on site one closed municipal solid waste landfill and expansion pad controlled by an enclosed ground flare through landfill gas management systems. Other sources on site include one diesel-fired emergency generator and one LPG-fired emergency generator. The Title V Operating Permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**40-00007: Bemis Company, Inc.** (20 Jaycee Drive, West Hazleton, PA 18202-1142). On October 23, 2019, the Department issued a renewal Title V Operating Permit for the manufacture of laminated and coating packaging in Hazle Township, **Luzerne County**. The facility is considered a major stationary source subject to Title V Operating Permit requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code, Chapter 127, Subchapter G.

The main sources at this facility are eight (8) Flexographic Printing Presses and three (3) Emergency Generators. The VOC emissions from the Presses are controlled by three (3) Catalytic Oxidizers and one (1) RTO (Regenerative Thermal Oxidizer).

The Title V Operating Permit includes emission restrictions, work practice standards and testing, monitoring, recordkeeping, and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

*Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.*

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

**67-05007: Adhesives Research, Inc.** (400 Seaks Run Road, Glen Rock, PA 17327-0100) on October 22, 2019, for the adhesives manufacturing facility located in Springfield Township, **York County**. The Title V permit was renewed.

**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**09-00199: Mars Fishcare, N.A., Inc.** (50 East Hamilton St., Chalfont, PA 18914) on October 24, 2019, for a non-Title V, State Only, Natural Minor operating permit for the operation of an existing bulk material handling pneumatic conveying system, a dust collector and a vacuum filter receiver system in Chalfont Borough, **Bucks County**.

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

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

**36-05007: Johnson & Johnson Consumer, Inc.** (400 West Lincoln Avenue, Lititz, PA 17543-8701) on October 17, 2019, for the pharmaceuticals manufacturing facility located in Lititz Borough, **Lancaster County**. The State-only permit was renewed.

**06-05037: McConway & Torley LLC** (109 48th Street, Pittsburgh, PA 15201-2755) on October 22, 2019, for the steel foundry located in Kutztown Borough, **Berks County**. The State-only permit was renewed.

**67-05104: Tate Access Floors, Inc.** (52 Springvale Road, P.O. Box 398, Red Lion, PA 17356-0398) on October 21, 2019, for the floor panel manufacturing facility located in Windsor Township, **York County**. The State-only permit was renewed.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**63-00984: FML Terminal Logistics, LLC** (1492 Route 519, Eighty-Four, PA 15330-2843) on October 15, 2019, the Department amended the facility's State-Only Operating Permit for a change in the naming convention of air cleaning device C102 from Ultra-High Molecular Weight (UHMW) Diverter to Boot-Lift Railcar Connector. This action is in conjunction with a Request-for-Determination (RFD) application for the installation and operation of the Boot-Lift Railcar Connector. The company operates a sand transloading terminal located in North Strabane Township, **Washington County**.

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

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

**36-05008: Tyson Poultry, Inc.** (403 South Custer Avenue, P.O. Box 1156, New Holland, PA 17557-9221) on October 22, 2019, for the poultry processing facility located in Earl Township, **Lancaster County**. The State-

only permit was administratively amended in order to incorporate the requirements of Plan Approval No. 36-05008J.

**06-05069: East Penn Manufacturing Co., Inc.** (102 Deka Road, P.O. Box 147, Lyon Station, PA 19536) on October 25, 2019, for the lead acid battery assembly facility located in Richmond Township, **Berks County**. The Title V permit was administratively amended in order to incorporate the requirements of Plan Approval No. 06-05069Y.

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

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

**18-00009: Clinton County Solid Waste Authority** (P.O. Box 209, McElhattan, PA 17748), issued a revised Title V operating permit, Revision No. 1 on October 24, 2019, for the Wayne Township Landfill located in Wayne Township, **Clinton County**. The revision of this permit is to incorporate terms and conditions from Plan Approval 18-00009F, which authorized the construction of the Northside Landfill (Source P200). The operating permit is effective through September 11, 2023. This Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

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

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

**03-00197: Natures Blend Wood Products Incorporated** (717 1st Avenue, Ford City, PA 16226-1189). The Department on October 23, 2019, issued an administrative amendment of the State Only Operating Permit for the facility to change responsible official and to correct a typographical error in the Department address for reporting malfunctions. The facility is located in Ford City Borough, **Armstrong County**.

**43-00290: Top Gun Investment Corp. II** (15 Roemer Blvd., Farrell, PA 16121-2201) on October 24, 2019 issued an administrative amendment to the State Only Operating Permit for Sharon Coating LLC which is a metal coating facility located in Sharon City, **Mercer County**. The amendment incorporates the applicable conditions of plan approval 43-290D.

**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.*

**30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC** (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Enlow Fork Mine in Richhill Township, **Greene County** and South Franklin Township, **Washington County** and related NPDES Permit to install two (2) Degas Boreholes. Surface Acres Proposed 5.0. No additional discharges. The application was considered administratively complete on April 8, 2019. Application received: March 11, 2019. Permit issued: October 22, 2019.

**17101601 and NPDES No. PA0236055 and GP12-17101601-R2. Victor, LLC** (3056 Washington Avenue, P.O. Box 128, Clearfield, PA 16830). To renew the permit for the Victor Tipple in Greenwood Township, **Clearfield County** and related NPDES Permit. Approval is authorized under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-17101601-R2. No additional discharges. The application was considered administratively complete on September 12, 2017. Application received: November 4, 2016. Permit issued: October 22, 2019.

**30841317 and NPDES No. PA0213527. Consol Pennsylvania Coal Company LLC** (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Enlow Fork Mine in Richhill and Morris Townships, **Greene County** and Morris Township, **Washington County** and related NPDES Permit for installation of four (4) degas boreholes. Surface Acres Proposed 18.2. No additional discharges. The application was considered administratively complete on May 9, 2019. Application received: April 10, 2019. Permit issued: October 22, 2019.

**32901603 and NPDES No. PA0214507. Tipple Four J, Inc.** (P.O. Box 435, Seward, PA 15954). To renew the permit for the Tipple Four J in Armstrong Township, **Indiana County** and related NPDES Permit. No additional discharges. The application was considered administratively complete on June 28, 2017. Application received: November 1, 2016. Permit issued: October 22, 2019.

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

**Permit No. 4072SM22 and NPDES No. PA0248894. Penn Coal Land, Inc.**, P.O. Box 68, Boswell, PA 15531, permit renewal for reclamation only of a bituminous surface mine in Somerset Township, **Somerset County**, affecting 121.9 acres. Receiving stream: unnamed tributary to Kimberly Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 8, 2019. Permit Issued: October 21, 2019.

**Permit No. 29190101 and NPDES No. PA0279722, J&J Svonavec Excavating, Inc.**, 110 Windermere Lane, Somerset, PA 15501, commencement, operation, and restoration of a bituminous surface mine in Wells and Wood Townships, **Fulton and Huntingdon Counties**, affecting 164.0 acres. Receiving stream: Great Trough Creek, classified for the following use: trout stocked fishes. The first downstream potable water supply intake from the point of discharge is Mifflintown Municipal Authority at Mifflintown, PA on Juniata River. Application received: May 22, 2019. Permit Issued: October 22, 2019.

**Permit No. 05753004 and NPDES No. PA0124869, J&J Svonavec Excavating, Inc.**, 110 Windermere Lane, Somerset, PA 15501, commencement, operation and restoration of a bituminous surface mine to allow for the beneficial use of biosolids for land reclamation in Broad Top & Carbon Townships, **Bedford & Huntingdon Counties**, affecting 222.1 acres. Receiving streams: unnamed tributaries to/and Coal Bank Run, classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 10, 2019. Permit Issued: October 24, 2019.

**Permit No. 05070101 and NPDES No. PA0262544, J&J Svonavec Excavating, Inc.**, 110 Windermere Lane, Somerset, PA 15501, commencement, operation and restoration of a bituminous surface mine to allow for the beneficial use of biosolids for land reclamation in Broad Top Township, **Bedford County**, affecting 115.5 acres. Receiving streams: East Fork and North Fork Brewster Hollow Run classified for the following use: warm water fishes. The first downstream potable water supply intake from the point of discharge is Saxton Municipal Authority on Raystown Branch Juniata River. Application received: April 10, 2019. Permit Issued: October 24, 2019.

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

**Permit No. 22851602T. Rausch Creek Coal Preparation Lykens, LLC** (978 Gap Street, Valley View, PA 17983), transfer of an existing anthracite coal preparation plant operation in Wiconisco Township, **Dauphin County** affecting 23.1 acres, receiving stream: Wiconisco Creek. Application received: November 14, 2018. Transfer issued: October 22, 2019.

**Permit No. PAM118048. Rausch Creek Coal Preparation Lykens, LLC** (978 Gap Street, Valley View, PA 17983), coverage under the General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 22851602 in Wiconisco Township, **Dauphin County**, receiving stream: Wiconisco Creek. Application received: November 14, 2018. Permit issued: October 22, 2019.

**Permit No. GP12-22851602. Rausch Creek Coal Preparation Lykens, LLC** (978 Gap Street, Valley View, PA 17983), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 22851602 in Wiconisco Township, **Dauphin County**. Application received: April 18, 2019. Permit issued: October 22, 2019.

*Noncoal Permits Issued*

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

**Permit No. 28010301 and NPDES No. PA0123811, Redi, LLC**, 6801 Rice Road, P.O. Box 426, Shippensburg, PA 17257, transfer of an existing large noncoal (industrial minerals) from R.A. Hill, Inc., 1364 Lincoln Way East, Chambersburg, PA 17201, located in Hamilton Township, **Franklin County**, affecting 31.54 acres. Receiving streams: Conococheague Creek classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 5, 2019. Permit Issued: October 24, 2019.

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

**62010302. IA Construction Corporation** (24 Gibb Road, P.O. Box 568, Franklin, PA 16323). Revision to an existing large industrial minerals surface mine to add

16.0 acres for a total of 115.5 permit acres in Pittsfield Township, **Warren County**. Receiving streams: Hosmer Run. Application received: June 5, 2019. Permit Issued: October 17, 2019.

**20992802. R. Hunter Incorporated** (15428 Sheets Road, Guys Mills, PA 16327). Final bond release for a small industrial minerals surface mine in Woodcock Township, **Crawford County**. Restoration of 5.0 acres completed. Receiving streams: Unnamed tributary to Gravel Run. Application Received: June 3, 2019. Final bond release approved: October 22, 2019.

**20960301. R. Hunter Incorporated** (15428 Sheets Road, Guys Mills, PA 16327). Final bond release for a small industrial minerals surface mine in Woodcock Township, **Crawford County**. Restoration of 20.8 acres completed. Receiving streams: Unnamed tributary to Woodcock Creek. Application Received: August 29, 2019. Final bond release approved: October 22, 2019.

*New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.*

**PAM03182801. Lopa Mining, Inc.** (P.O. Box 621, Clarion, PA 16214). General NPDES permit for stormwater discharge associated with mining activities on an existing small noncoal (Industrial Mineral), Permit No. 03182801, located in Rayburn Township, **Armstrong County** affecting 16.15 acres. Receiving streams: unnamed tributary to Allegheny River. Classified for the following use: WWF. Application received: July 27, 2018. GP-104 permit issued: October 22, 2019.

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

**Permit No. 7175SM1A1C15. Pennsy Supply, Inc.** (2400 Thea Drive, Suite 3A, Harrisburg, PA 17110), correction of an existing quarry operation to update the post-mining land use in South Hanover Township, **Dauphin County** affecting 205.0 acres, receiving stream: Swatara Creek. Application received: July 12, 2019. Correction issued: October 25, 2019.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

*New Stanton District Office: P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.*

**26194002. NobelClad DMC** (1138 Industrial Park Drive, Mount Braddock, PA 15465). Blasting activity permit renewed for the construction/demolition of the Coolspring Mine, located in North Union Township, **Fayette County** with an expiration date of October 21, 2024. Blasting permit issued: October 22, 2019.

**26194001. NobelClad DMC** (1138 Industrial Park Drive, Mount Braddock, PA 15465). Blasting activity permit renewed for the construction/demolition of the Dunbar Mine, located in Dunbar Township, **Fayette County** with an expiration date of October 21, 2024. Blasting permit issued: October 22, 2019.

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

**Permit No. 36194152. Keystone Blasting Service** (15 Hopeland Road, Lititz, PA 17543), construction blast-

ing for utilities at 196 Christiana Road in Sadsbury Township, **Lancaster County** with an expiration date of December 31, 2019. Permit issued: October 21, 2019.

**Permit No. 15194110. Rock Work, Inc.** (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Self Storage in West Whiteland Township, **Chester County** with an expiration date of October 31, 2020. Permit issued: October 25, 2019.

**Permit No. 64194001. Northeast Blasting** (403 Middle Creek Road, Honesdale, PA 18431), construction blasting for Bob Boogertman building site in Paupack Township, **Wayne County** with an expiration date of October 9, 2020. Permit issued: October 28, 2019.

**Permit No. 22194110. Maine Drilling & Blasting, Inc.** (P.O. Box 1140, Gardiner, ME 04345), construction blasting for UPS Northeast Regional Hub in Lower Swatara Township, **Dauphin County** with an expiration date of October 22, 2020. Permit issued: October 28, 2019.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Southwest District Oil and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E26-07-006: Appalachian Water Services**, 195 Enterprise Lane, Connellsville, PA 15425.

Appalachian Water Services permitted their 14 foot by 17 foot gravel pump pad located within the FEMA floodway of the Monongahela River and the placement of two floating intake structures within the channel of the Monongahela River, a Warm Water Fisheries, in Masontown Borough, **Fayette County**, Pittsburgh USACE District, (Masontown Quadrangle, Latitude N 39° 51' 14", Longitude W -79° 55' 27.9"). This project temporarily impacts 20 LF of stream and 50 LF of floodway with the installation of the intake and permanently impacts 0.005 acre of FEMA floodway with the constructed gravel pump pad.

*Southeast Region: Waterways and Wetlands Program, 2 East Main Street, Norristown, PA 19401, 484.250.5160.*

**E46-1188: Lower Merion Township**, 75 East Lancaster Avenue, Ardmore, PA 19003, Lower Merion Township, **Montgomery County**, ACOE Philadelphia District.

To rehabilitate and maintain approximately 1,550 feet long eroded streambank along the UNT to Cobbs Creek (WWF/MF) associated with the DEP-MS4 pollution reduction plan (PRP). The project will include the installation of biodegradable Coir Logs, Log Vanes, etc., and stabilize the stream bed utilizing riffles. The site is located about 500 feet northwest of Remington Road, and Haverford Road (Norristown, PA USGS Quadrangle Latitude: 39.9859; Longitude: -75.2828) in Lower Merion Township, Montgomery County.

**EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

ESCGP-3 # ESG073019015-00

Applicant Name EQM Gathering OPCO, LLC

Contact Person Brint Goettel

Address 2200 Rice Drive

City, State, Zip Canonsburg, PA 15317

County Greene

Township(s) Gilmore

Receiving Stream(s) and Classification(s) UNTs to Garrison Fork (WWF); Taylor Run (WWF)

Secondary Receiving Water—Garrison Fork (WWF); Pennsylvania Fork Dunkard Creek (WWF)

ESCGP-3 # ESG0700719-004

Applicant Name Penn Energy Resources, LLC

Contact Person Scott Sweder

Address 1000 Commerce Drive, Park Place One, Suite 400

City, State, Zip Pittsburgh, PA 15275

County Beaver

Township(s) Marion Township

Receiving Stream(s) and Classification(s) Tributary 34871 and Tributary 34873 to Connoquenessing Creek, Connoquenessing Creek, Beaver River (WWF)

ESCGP-3 # ESG16-125-0021

Applicant Name Range Resources Appalachia, LLC

Contact Person Karl Matz

Address 3000 Town Center Boulevard

City, State, Zip Canonsburg, PA 15317

County Washington

Township(s) Fallowfield Township

Receiving Stream(s) and Classification(s) UNTs to Little Chartiers Creek & Little Chartiers Creek of Chartiers Creek Watershed which has a Chapter 93 designated & existing use as High Quality Warm Water Fishes (HQ-WWF)

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

ESCGP-3 # ESG140190041-01—West Pad 55

Applicant PennEnergy Resources LLC

Contact Cody Salmon

Address 1000 Commerce Drive, Park Place One, Suite 400

City Pittsburgh

State PA

Zip Code 15275

County Butler

Township Jefferson

Receiving Streams and Classifications Sarver Run (HQ-TSF) and Little Buffalo Run (HQ-TSF)

ESCGP-3 # ESG080319010-00—Limestone Run to Lash Pipeline

Applicant Snyder Bros Inc

Contact Carl Rose

Address P.O. Box 1022; One Glade Park East

City Kittanning

State PA

Zip Code 16201

County Armstrong

Township East Franklin

Receiving Streams and Classifications Limestone Run (WWF)/UNT to Limestone Run (WWF)

ESCGP-3 # ESG080319009-00—South Bend Gathering Facility  
 Applicant INR Operating LLC  
 Contact Ian Costello  
 Address 2605 Cranberry Square  
 City Morgantown  
 State WV  
 Zip Code 26508  
 County Armstrong  
 Township Southbend  
 Receiving Streams and Classifications Gobblers Run (WWF), Trib 46430 to Gobblers Run and associated UNTs (WWF), and Crooked Creek (WWF)

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

ESCGP-3 # ESG2908119009-00  
 Applicant Name Appalachia Midstream Services LLC  
 Contact Person Scott Kinter  
 Address 30351 Rte 6  
 City, State, Zip Wysox, PA 18854  
 County Bradford  
 Township(s) Albany  
 Receiving Stream(s) and Classification(s) UNT to French Ck (CWF, MF); French Ck (CWF, MF)  
 Secondary—South Branch Towanda Ck (WWF, MF)

ESCGP-3 # ESG295919016-00  
 Applicant Name Repsol Oil & Gas USA LLC  
 Contact Person Lance Ridall  
 Address 337 Daniel Zenker Dr  
 City, State, Zip Horseheads, NY 14845  
 County Tioga  
 Township(s) Ward

Receiving Stream(s) and Classification(s) UNT to Tioga River (CWF)  
 Secondary—Tioga River (CWF)

ESCGP-3 # ESG295819024-00  
 Applicant Name SWN Production Co LLC  
 Contact Person Afton Sterling  
 Address 917 SR 92 N  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna  
 Township(s) Liberty  
 Receiving Stream(s) and Classification(s) UNTs to Snake Ck (CWF, MF)

ESCGP-3 # ESG294119026-00  
 Applicant Name SWN Production Co LLC  
 Contact Person Afton Sterling  
 Address 917 SR 92 N  
 City, State, Zip Tunkhannock, PA 18657  
 County Lycoming  
 Township(s) Cogan House & Jackson  
 Receiving Stream(s) and Classification(s) UNT to Flicks Run (EV); Blockhouse Ck (EV); UNT to Blockhouse Ck (EV)  
 Secondary: Little Pine Ck (EV)

ESCGP-3 # ESG290819021-00  
 Applicant Name Chief Oil & Gas LLC  
 Contact Person Jeffrey Deegan  
 Address 1720 Sycamore Rd  
 City, State, Zip Montoursville, PA 17754  
 County Bradford  
 Township(s) Ridgebury  
 Receiving Stream(s) and Classification(s) Stone Lick Ck (WWF, MF)  
 Secondary—Chemung River (WWF, MF)

## 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 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, P.O. Box 8763, Harrisburg, PA 17105-8763.

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
19-61-010	Heath Oil, Inc. P.O. Box 1128 Oil City, PA 16301 Attn: Daniel Heath	Venango	Barkeyville Borough	1 AST storing transmix	1,015,232 gallons

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 2

The following plans and reports were submitted under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A remedial

action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the

environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning plans or reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Uwchlan 37 Pottstown Pike**, 15-42560, 37 Pottstown Pike, Upper Uwchlan Township, **Chester County**. Synergy Environmental, Inc., 155 Rail Road Plaza, First Floor, Royersford, PA 19468, on behalf of Dunne Manning Inc., 645 Hamilton St., Suite 500, Allentown, PA 18101, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site-specific standards.

**Lukoil 69207**, 09-12148, 305 E. Street Rd., Lower Southampton Township, **Bucks County**. Envirotrac Ltd., 3070 Bristol Pike, Building 1, Suite 221, Bensalem, PA 19020, on behalf of Lukoil North America LLC, 302 Harper Drive, Suite 303, Moorestown, NJ 08057, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health and site-specific standards.

**Exxon RS 2 1668**, 46-06912, Bethlehem & Sumneytown Pikes, Lower Gwynedd Township, **Montgomery County**. Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440, on behalf of Lower Gwynedd Township, 1130 N. Bethlehem Pike, P.O. Box 625, Spring House, PA 19477 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site-specific standards.

**Glenolden Exxon PA0197**, 23-45011, 330 N. Chester Pike, Glenolden Borough, **Delaware County**. Synergy Environmental, Inc., 155 Rail Road Plaza, First Floor, Royersford, PA 19468, on behalf of Cross America Partners, 600 Hamilton Street, Suite 500, Allentown, PA 18101-1537, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet residential Statewide health standards.

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

**Ronks Service**, Storage Tank Facility ID Number 36-09430, 2622 Lincoln Highway East, Ronks, PA 17572, East Lampeter Township, **Lancaster County**, Mulry and Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 3, Glenmoore, PA 19343 on behalf of Anil Jivani and

Jyotsna A. Jivani, 2622 Lincoln Highway East, Ronks, PA 17572 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Sunoco Facility # 0002-1899**, Storage Tank Facility ID # 65-20341, 506 South 4th Street, Youngwood, PA 15697, Youngwood Borough, **Westmoreland County**. Groundwater & Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Evergreen Resources Management Operations, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Alcosan Wastewater Treatment Plant**, Storage Tank Facility # 02-16364, 3300 Preble Avenue, Pittsburgh, PA 15233. City of Pittsburgh, **Allegheny County**. Compliance Management International, 1720 Washington Road, Suite 140, Washington, PA 15301, on behalf of Allegheny County Sanitary Authority, 3300 Preble Avenue, Pittsburgh, PA 15233, submitted a Remedial Action Plan concerning the remediation of soil and groundwater contaminated with petroleum products. The plan is intended to document remediation of the site to meet the Statewide Health Standard.

**Former Mabel's Store**, Storage Tank Facility # 32-34133, 55 Front Street, Robinson, PA 15949, West Wheatfield Township, **Indiana County**. Tetra-Tech, 661 Anderson Drive, Foster Plaza 7, Pittsburgh, PA 15220, on behalf of the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222, submitted a Remedial Action Completion Report concerning the remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

**Chucks Stop**, Storage Tank Facility ID # 03-24734, 737 State Route 56 E, Kiskiminetas Township, **Armstrong County**. DMS Environmental Services, LLC, 103 South Spring Street, Bellefonte, PA 16823, on behalf of Charles J. Peters, III, 1860 Washington Road, Apollo, PA 15613 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, xylenes, cumene, naphthalene, methyl tert-butyl ether, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The plan is intended to document the remedial actions for meeting the Statewide Health Standard.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### Preamble 3

**The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention

Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

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

**Bowman Creek Service Center**, Storage Tank ID # 66-25655, 2513 State Route 29 South, Monroe Township, **Wyoming County**. Quad 3 Group, 37 North Washington Street, Wilkes-Barre, PA 18701, on behalf of Bowman Creek Service Center, 2513 State Route 29 South, Tunkhannock, PA 18657, has submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action Plan was not acceptable to meet Site-Specific Standards and was disapproved by DEP on October 22, 2019.

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

**Shipleigh Oil**, Storage Tank Primary Facility ID # 67-17548, 550 East King Street, York, PA 17403, York City, **York County**, Buchart Horn, 445 West Philadelphia Street, P.O. Box 15050, York, PA 17405, on behalf of Shipleigh Energy, 550 East King Street, York, PA 17403 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline and diesel fuel constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 28, 2019.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Former Gulf Service Station No. 143670/V1555**, Storage Tank Primary Facility ID # 02-09192, 301 Craft Avenue, Pittsburgh, PA 15213, City of Pittsburgh, **Allegheny County**. Kleinfelder, Inc., 51 Dutilh Road, Suite 240, Cranberry Township, PA 16066, on behalf of Cumberland Farms, Inc., 165 Flanders Road, Westborough, MA 01581, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the site-specific standard. The Remedial Action Completion Report demonstrated attainment of the remediation of the site to meet the Site-Specific Standard and was approved on October 22, 2019.

**Laughlin's Amoco**, Storage Tank Primary Facility ID # 04-09727, 1320 State Route 168, Georgetown, PA 15043, Georgetown Borough, **Beaver County**. Letterle and Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Coen Markets, Inc., 1000 Philadelphia Street, Canonsburg, PA 15317, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report demonstrated attainment of the remediation of the site to meet the Statewide Health Standard and was approved on October 22, 2019.

**Former R. L. Smeltz Oil Co.**, Storage Tank Primary Facility ID # 65-80196, 725 South Main Street, Greensburg, PA 15601, Borough of Southwest Greensburg, **Westmoreland County**. Letterle and Associates, Inc., 2859 Oxford Boulevard, Allison Park, PA 15101, on behalf of Ms. Joy Bartlow, 241 Broadview Road, P.O. Box 662, New Stanton, PA 15672, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report did not demonstrate attainment of the Statewide Health Standard and was disapproved on October 29, 2019.

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

**Hilltop Mini Mart**, Storage Tank Facility ID # 10-91376, 285 Chicora Road, Butler, PA 16001, Oakland Township, **Butler County**. Applied Geology and Environmental Science, Inc., 2402 Hookstown Grade Road, Suite 200, Clinton, PA 15026, on behalf of Hilltop Mini Mart and Source One Transportation, LLC, 200 Speers Road, Belle Vernon, PA 15012, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, toluene, xylenes, isopropylbenzene, methyl tertiary butyl ether, trimethylbenzenes, naphthalene. The Remedial Action Plan was acceptable to meet the Statewide Health Standard and was approved by DEP on October 22, 2019.

**Port Meadville Airport**, Storage Tank Facility ID # 20-17500, 16306 Corporate Drive, Vernon Township, **Crawford County**. P. Joseph Lehman, Inc., P.O. Box 419, Hollidaysburg, PA 16648, on behalf of Crawford County Regional Airport Authority, P.O. Box 1011, Meadville, PA 16335-3802, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with Benzene, Toluene, Ethylbenzene, Xylenes, Cumene, Naphthalene, MTBE, 1,2,4 Trimethylbenzene, 1,3,5 Trimethylbenzene, 1,2 Dibromoethane, 1,2 Dichloroethane, and Lead. The Remedial Action Plan was acceptable to meet the Statewide Health Standard and was approved by DEP on October 25, 2019.



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## SPECIAL NOTICES

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### PUBLIC NOTICE OF PROPOSED CONSENT ORDER AND AGREEMENT

#### PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### RIDGWAY BOROUGH MUNICIPAL LANDFILL SITE RIDGWAY TOWNSHIP, ELK COUNTY

Pursuant to Section 1113 of the Pennsylvania Hazardous Sites Cleanup Act, Act of October 18, 1988, P.L. 756, No. 108, 35 P.S. §§ 6020.101—6020.1305 (HSCA), notice is hereby provided that the Pennsylvania Department of Environmental Protection (Department) has agreed to a Consent Order and Agreement (Agreement) with the Ridgway Borough (Borough) and the Ridgway Borough Municipal Authority (Municipal Authority) concerning the Ridgway Borough Municipal Landfill Site (Site). The Site covers approximately 15 acres of a 118-acre parcel of property where the Borough and Municipal Authority owned and operated a landfill from 1957 to 1975. The Site is located at the end of Jake's Hollow Road and east of Montmorenci Road in Ridgway Township, Elk County. From approximately 1957 to 1975, various industrial wastes from manufacturing facilities in the area were disposed at the landfill including, but not limited to, brake dust, brake pads, brake shoe linings, plastic resins, fine black powder, plastics, glass, metal, wood, steel cables, wiring, concrete, bricks, metal tubing, tires, and yellow, dark maroon, blue, orange, and red sludge, other chemical pigments and dyes, full drums containing trichloroethylene, and crushed drums with remnants of various colored pigments. The Department investigated the nature and extent of the contamination at the Site pursuant to its authority under, among other things, Section 501(a) of HSCA, 35 P.S. § 6020.501(a). Environmental investigations conducted at the Site found contaminants in the waste including lead, chromium, arsenic, cadmium, copper, nickel, zinc, mercury, trichloroethylene, vinyl chloride, benzene, 4-chloroaniline, n-nitrosodibutylamine, tetrachloroethylene, cis-1,2-dichloroethylene, xylene, 3,3-dichlorobenzidine, ethyl benzene, naphthalene, methylene chloride, polychlorinated biphenyls, and toluene. These contaminants found in the waste are "hazardous substances" within the meaning of that term as it is defined in Section 103 of HSCA, 35 P.S. § 6020.103. These hazardous substances have contaminated the surface water, groundwater, soil, and sediments at the Site. The disposal of hazardous substances at the Site, and the contamination of the environment with hazardous substances at the Site, constitute a "release" and a "threat of release" of a hazardous substance, as defined in Section 103 of HSCA, 35 P.S. § 6020.103.

In 2014, based on the results of the environmental investigations, and pursuant to its authority under, among other things, Section 501(a) of HSCA, 35 P.S. § 6020.501(a), the Department proposed and conducted an interim response to mitigate risks and threats at the Site (Interim Response). The Interim Response included the removal and proper disposal of eight (8) drums, four (4) of which were intact, that were buried in the landfill. The drums contained trichloroethylene, lead, and polychlorinated biphenyls. Additionally, during the Interim Response, two areas of exposed lead-contaminated surface soils were addressed by covering them with clean soil.

The Agreement concerns the settlement of obligations for the Borough and Municipal Authority for their share of past response costs and future response actions. The

specific terms of the settlement are described in the Agreement and include the following: The Borough and Municipal Authority shall submit payment in the amount of \$156,993.43 and \$70,000, respectively, to the Department as settlement of their share of past response costs; and, as settlement for their share of future response costs, provide in-kind services and materials, and operation and maintenance for future response actions.

The Department will receive and consider comments relating to the Agreement for sixty (60) days from the date of this Public Notice. The Department has the right to withdraw its consent to the Agreement if the comments concerning the Agreement disclose facts or considerations which indicate that the Agreement is inappropriate, improper, or not in the public interest. After the public comment period, the Department's settlement with the Borough and Municipal Authority shall be effective upon the date that the Department notifies the Borough and Municipal Authority, in writing, that the Agreement is final and effective in its present form, and that the Department has filed a response to significant written comments to the Agreement, or that no such comments were received.

The Agreement is available for inspection and copying at the Department's office at 230 Chestnut Street, Meadville, PA. Comments may be submitted, in writing, to Mr. Christopher Saber, Project Manager. Mr. Saber can be reached in the Department's Northwest Regional Office, located at 230 Chestnut Street, Meadville, PA 16335, telephone: 814.332.6648. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 800.654.5984.

[Pa.B. Doc. No. 19-1673. Filed for public inspection November 8, 2019, 9:00 a.m.]

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Bid Opportunity

**OSM 24(0512)203.1, Abandoned Mine Reclamation Project, Cherry Run, Jay Township, Elk County.** The principal items of work and approximate quantities include: compost filter sock, 5,185 linear feet; brush barriers, 2,525 linear feet; grading, 241,700 cubic yards; coal refuse disposal, 19,350 cubic yards; rock lining, 1,010 square yards; borrow material excavation and permanent ponds, 20,850 cubic yards; and seeding, 40 acres.

This bid issues on October 25, 2019, and bids will be opened on November 21, 2019, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to [www.BidExpress.com](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 or [RA-ConstructionContr@pa.gov](mailto:RA-ConstructionContr@pa.gov) for more information on this bid.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 19-1674. Filed for public inspection November 8, 2019, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Food Recovery Infrastructure Grant; Opening of Grant Application Period

The Department of Environmental Protection (Department) announces an opportunity to apply for up to \$200,000 in grant funding offered through the new Food Recovery Infrastructure Grant Program. This funding is available for section 501(c)(3) nonprofit organizations in this Commonwealth (26 U.S.C.A. § 501(c)(3)) for grant assistance for the proper management and operation of food waste reduction under the Municipal Waste Planning, Recycling and Waste Reduction Act (Act 101) (53 P.S. §§ 4000.101—4000.1904).

Food recovery infrastructure grants will be awarded to nonprofit organizations for the procurement of equipment (refrigerators, freezers, refrigerant vehicles, hand fork lifts and the like) to reduce food waste disposal from food retailers and wholesalers by repurposing and redistributing apparently safe and wholesome foods to nonprofits in this Commonwealth that provide food to segments of the public. The nonprofit must describe their current food recovery operation and explain how the food infrastructure equipment will enhance their current program. The organization must also provide a description of their proposed program and provide what food retailers or wholesalers (grocery stores and the like) will be partners for the project. Additionally, the organization must provide a description of how the program will be operated by staff or volunteers, or both.

Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 (53 P.S. §§ 4000.701 and 4000.702) and the availability of moneys in the Recycling Fund.

The maximum grant to a nonprofit organization cannot exceed \$200,000 per calendar year for the procurement of food infrastructure equipment attributable exclusively to the grant project. Potential applicants are required to meet with their Department Regional Planning and Recycling Coordinator prior to submitting an application for funding consideration.

Grant applications must be submitted through the Department of Community and Economic Development's Electronic Single Application web site, eGrants, at [www.esa.dced.state.pa.us](http://www.esa.dced.state.pa.us). Applications must be received by April 24, 2020, to be eligible for funding.

Inquiries concerning this notice and requests for more information about this grant program should be directed to Mark Vottero, Recycling Grants Coordinator, Department of Environmental Protection, Rachel Carson State Office Building, Bureau of Waste Management, Division of Waste Minimization and Planning, P.O. Box 8472, Harrisburg, PA 17105-8472, at [mvottero@pa.gov](mailto:mvottero@pa.gov) or (717) 772-5719.

#### *Regional Planning and Recycling Coordinators*

##### *Southeast Region*

*Bucks, Chester, Delaware, Montgomery and Philadelphia Counties*

Department of Environmental Protection, Waste Management Program

2 East Main Street  
Norristown, PA 19401

(484) 250-5900

Mary Alice Reisse, [mreisse@pa.gov](mailto:mreisse@pa.gov)

Ann Ryan, [aryan@pa.gov](mailto:aryan@pa.gov)

##### *Northeast Region*

*Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming Counties*

Department of Environmental Protection, Waste Management Program

2 Public Square

Wilkes-Barre, PA 18711-0790

(570) 826-2108

Berit Case, [bcase@pa.gov](mailto:bcase@pa.gov)

##### *Southcentral Region*

*Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York Counties*

Department of Environmental Protection, Waste Management Program

909 Elmerton Avenue

Harrisburg, PA 17110-8200

(717) 705-4735

Jessica Shilladay, [jesshillad@pa.gov](mailto:jesshillad@pa.gov)

##### *Northcentral Region*

*Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union Counties*

Department of Environmental Protection, Waste Management Program

208 West 3rd Street, Suite 101

Williamsport, PA 17701

(570) 916-8648

Joseph Delgrippe, [jdelgrippe@pa.gov](mailto:jdelgrippe@pa.gov)

##### *Southwest Region*

*Allegheny, Beaver, Cambria, Fayette, Greene, Somerset, Washington and Westmoreland Counties*

Department of Environmental Protection, Waste Management Program

400 Waterfront Drive

Pittsburgh, PA 15222-4745

(412) 442-4000

Sharon Svitek, [ssvitek@pa.gov](mailto:ssvitek@pa.gov)

Bradley Cunningham, [bcunningha@pa.gov](mailto:bcunningha@pa.gov)

Bill Jester, [wjester@pa.gov](mailto:wjester@pa.gov)

##### *Northwest Region*

*Armstrong, Butler, Clarion, Crawford, Elk, Erie, Forest, Indiana, Jefferson, Lawrence, McKean, Mercer, Venango and Warren Counties*

Department of Environmental Protection, Waste Management Program

230 Chestnut Street

Meadville, PA 16335-3481

(814) 332-6981

Regina Schweinsberg, [rschweinsb@pa.gov](mailto:rschweinsb@pa.gov)

PATRICK McDONNELL,

*Secretary*

[Pa.B. Doc. No. 19-1675. Filed for public inspection November 8, 2019, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Proposed State Implementation Plan Revision; Second Maintenance Plan for the Erie County 1997 8-Hour Ozone Nonattainment Area; Public Hearing

The Department of Environmental Protection (Department) is seeking public comment on a proposed revision

to the State Implementation Plan (SIP) concerning a second maintenance plan demonstrating that the Erie County Area continues to maintain the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). The Department intends to submit this proposed SIP revision to the United States Environmental Protection Agency (EPA) to satisfy sections 107(d)(3)(E)(iv) and 175A(b) of the Clean Air Act (CAA) (42 U.S.C.A. §§ 7407(d)(3)(E)(iv) and 7505a(b)).

Ground-level ozone concentrations above the Federal health-based standard pose a serious human health threat. On April 30, 2004, the EPA designated the Erie County Area as a nonattainment area for the 1997 8-hour ozone NAAQS. See 69 FR 23857 (April 30, 2004). On October 9, 2007, the Erie County Area was redesignated to attainment. See 72 FR 57207 (October 9, 2007). Air quality in the Erie County Area has improved since the EPA's original designations.

On March 6, 2015, the EPA published the final implementation rule for the 2008 8-hour ozone NAAQS. See 80 FR 12264 (March 6, 2015). This final rule revoked the 1997 8-hour ozone NAAQS and stated that one consequence of revocation was that areas that had been redesignated to attainment (maintenance areas) for the 1997 standard no longer needed to submit second 10-year maintenance plans under section 175A(b) of the CAA. See 80 FR 12264, 12302 and 12303. See also, 40 CFR 51.1105(d)(1) (relating to transition from the 1997 ozone NAAQS to the 2008 ozone NAAQS and anti-backsliding). The EPA's 2008 final rule was challenged in *South Coast Air Quality Management Distr. v. EPA et al.*, 882 F.3d. 1138 (D.C. Cir. 2018) (*South Coast II*).

This proposed SIP revision addresses that case. Specifically, the Court in *South Coast II* vacated the EPA's final implementation rule for the 2008 ozone NAAQS to the extent that it waived the requirement under section 175A(b) of the CAA for states to submit a second 10-year maintenance plan SIP revisions for "orphan maintenance areas" under the 1997 standard (areas that had been redesignated to attainment for the 1997 ozone NAAQS and were designated attainment for the 2008 ozone NAAQS). In doing so, the Court characterized the language of section 175A(b) of the CAA as unambiguous and rejected the EPA's reasoning in the 2008 ozone NAAQS final rule that second maintenance plans were not needed for orphan maintenance areas because the 1997 standard had been revoked. *Id.* at 1156-57.

States with these "orphan maintenance areas" under the 1997 8-hour ozone NAAQS, including this Commonwealth, must submit maintenance plans for the second maintenance period. The Department intends to submit this proposed second maintenance plan SIP revision for the Erie County Area to the EPA for approval.

This proposed SIP revision is available on the Department's web site at <http://www.ahs.dep.pa.gov/eComment>.

The Department will provide the opportunity for a public hearing to receive comments regarding the proposed SIP revision on December 13, 2019, at 10 a.m. at the Northwest Regional Office, 1st Floor Conference Room, 230 Chestnut Street, Meadville, PA.

Persons wishing to present testimony should contact Amanda Rodriguez, P.O. Box 8468, Harrisburg, PA 17105, (717) 787-9702 or [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) to reserve a time. Witnesses will be limited to 10 minutes and should provide two written copies of their comments.

If by 12 p.m. on Monday, December 9, 2019, no person has expressed an interest in testifying at the hearing, the

hearing will be cancelled. The Department will provide public notice on the Bureau of Air Quality webpage at <http://www.dep.pa.gov/Business/Air/BAQ/Pages/default.aspx> if the hearing is cancelled. Persons may also contact the Department to find out if the hearing is cancelled by contacting Amanda Rodriguez at [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) or (717) 787-9702.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Amanda Rodriguez at [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) or (717) 787-9702. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 or (800) 654-5988 (voice users) to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than Monday, December 16, 2019. Commentators are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail at [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be submitted by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2563. Use "Erie County Area Ozone" as the subject line in written communication.

PATRICK McDONNELL,  
Secretary

[Pa.B. Doc. No. 19-1676. Filed for public inspection November 8, 2019, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Proposed State Implementation Plan Revision; Second Maintenance Plan for the Franklin County 1997 8-Hour Ozone Nonattainment Area; Public Hearing

The Department of Environmental Protection (Department) is seeking public comment on a proposed revision to the State Implementation Plan (SIP) concerning a second maintenance plan demonstrating that the Franklin County Area continues to maintain the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). The Department intends to submit this proposed SIP revision to the United States Environmental Protection Agency (EPA) to satisfy sections 107(d)(3)(E)(iv) and 175A(b) of the Clean Air Act (CAA) (42 U.S.C.A. §§ 7407(d)(3)(E)(iv) and 7505a(b)).

Ground-level ozone concentrations above the Federal health-based standard pose a serious human health threat. On April 30, 2004, the EPA designated the Franklin County Area as a nonattainment area for the 1997 8-hour ozone NAAQS. See 69 FR 23857 (April 30, 2004). On July 25, 2007, the Franklin County Area was redesignated to attainment. See 72 FR 40746 (July 25, 2007). Air quality in the Franklin County Area has improved since the EPA's original designations.

On March 6, 2015, the EPA published the final implementation rule for the 2008 8-hour ozone NAAQS. See 80 FR 12264 (March 6, 2015). This final rule revoked the 1997 8-hour ozone NAAQS and stated that one consequence of revocation was that areas that had been redesignated to attainment (maintenance areas) for the

1997 standard no longer needed to submit second 10-year maintenance plans under section 175A(b) of the CAA. See 80 FR 12264, 12302 and 12303. See also, 40 CFR 51.1105(d)(1) (relating to transition from the 1997 ozone NAAQS to the 2008 ozone NAAQS and anti-backsliding). The EPA's 2008 final rule was challenged in *South Coast Air Quality Management Distr. v. EPA et al.*, 882 F.3d. 1138 (D.C. Cir. 2018) (*South Coast II*).

This proposed SIP revision addresses that case. Specifically, the Court in *South Coast II* vacated the EPA's final implementation rule for the 2008 ozone NAAQS to the extent that it waived the requirement under section 175A(b) of the CAA for states to submit a second 10-year maintenance plan SIP revisions for "orphan maintenance areas" under the 1997 standard (areas that had been redesignated to attainment for the 1997 ozone NAAQS and were designated attainment for the 2008 ozone NAAQS). In doing so, the Court characterized the language of section 175A(b) of the CAA as unambiguous and rejected the EPA's reasoning in the 2008 ozone NAAQS final rule that second maintenance plans were not needed for orphan maintenance areas because the 1997 standard had been revoked. Id. at 1156-57.

States with these "orphan maintenance areas" under the 1997 8-hour ozone NAAQS, including this Commonwealth, must submit maintenance plans for the second maintenance period. The Department intends to submit this proposed second maintenance plan SIP revision for the Franklin County Area to EPA for approval.

This proposed SIP revision is available on the Department's web site at <http://www.ahs.dep.pa.gov/eComment>.

The Department will provide the opportunity for a public hearing to receive comments regarding the proposed SIP revision on December 13, 2019, at 10 a.m. at the Southcentral Regional Office, Susquehanna Room A, 909 Elmerton Avenue, Harrisburg, PA.

Persons wishing to present testimony should contact Amanda Rodriguez, P.O. Box 8468, Harrisburg, PA 17105, (717) 787-9702 or [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) to reserve a time. Witnesses will be limited to 10 minutes and should provide two written copies of their comments.

If by 12 p.m. on Monday, December 9, 2019, no person has expressed an interest in testifying at the hearing, the hearing will be cancelled. The Department will provide public notice on the Bureau of Air Quality webpage at <http://www.dep.pa.gov/Business/Air/BAQ/Pages/default.aspx> if the hearing is cancelled. Persons may also contact the Department to find out if the hearing is cancelled by contacting Amanda Rodriguez at [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) or (717) 787-9702.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Amanda Rodriguez at [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) or (717) 787-9702. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 or (800) 654-5988 (voice users) to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than Monday, December 16, 2019. Commentators are encouraged to submit comments using the Department's online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail at [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be submitted by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office

Building, P.O. Box 2063, Harrisburg, PA 17105-2563. Use "Franklin County Area Ozone" as the subject line in written communication.

PATRICK McDONNELL,  
Secretary

[Pa.B. Doc. No. 19-1677. Filed for public inspection November 8, 2019, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Proposed State Implementation Plan Revision; Second Maintenance Plan for the Greene County 1997 8-Hour Ozone Nonattainment Area; Public Hearing

The Department of Environmental Protection (Department) is seeking public comment on a proposed revision to the State Implementation Plan (SIP) concerning a second maintenance plan demonstrating that the Greene County Area continues to maintain the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). The Department intends to submit this proposed SIP revision to the United States Environmental Protection Agency (EPA) to satisfy sections 107(d)(3)(E)(iv) and 175A(b) of the Clean Air Act (CAA) (42 U.S.C.A. §§ 7407(d)(3)(E)(iv) and 7505a(b)).

Ground-level ozone concentrations above the Federal health-based standard pose a serious human health threat. On April 30, 2004, the EPA designated the Greene County Area as a nonattainment area for the 1997 8-hour ozone NAAQS. See 69 FR 23857 (April 30, 2004). On March 19, 2009, the Greene County Area was redesignated to attainment. See 74 FR 11671 (March 19, 2009). Air quality in the Greene County Area has improved since the EPA's original designations.

On March 6, 2015, the EPA published the final implementation rule for the 2008 8-hour ozone NAAQS. See 80 FR 12264, 12302 and 12303. This final rule revoked the 1997 8-hour ozone NAAQS and stated that one consequence of revocation was that areas that had been redesignated to attainment (maintenance areas) for the 1997 standard no longer needed to submit second 10-year maintenance plans under section 175A(b) of the CAA. See 80 FR 12264, 12302 and 12303. See also, 40 CFR 51.1105(d)(1) (relating to transition from the 1997 ozone NAAQS to the 2008 ozone NAAQS and anti-backsliding). The EPA's 2008 final rule was challenged in *South Coast Air Quality Management Distr. v. EPA et al.*, 882 F.3d. 1138 (D.C. Cir. 2018) (*South Coast II*).

This proposed SIP revision addresses that case. Specifically, the Court in *South Coast II* vacated the EPA's final implementation rule for the 2008 ozone NAAQS to the extent that it waived the requirement under section 175A(b) of the CAA for states to submit a second 10-year maintenance plan SIP revisions for "orphan maintenance areas" under the 1997 standard (areas that had been redesignated to attainment for the 1997 ozone NAAQS and were designated attainment for the 2008 ozone NAAQS). In doing so, the Court characterized the language of section 175A(b) of the CAA as unambiguous and rejected the EPA's reasoning in the 2008 ozone NAAQS final rule that second maintenance plans were not needed for orphan maintenance areas because the 1997 standard had been revoked. Id. at 1156-57.

States with these “orphan maintenance areas” under the 1997 8-hour ozone NAAQS, including this Commonwealth, must submit maintenance plans for the second maintenance period. The Department intends to submit this proposed second maintenance plan SIP revision for the Greene County Area to the EPA for approval.

This proposed SIP revision is available on the Department’s web site at <http://www.ahs.dep.pa.gov/eComment>.

The Department will provide the opportunity for a public hearing to receive comments regarding the proposed SIP revision on December 13, 2019, at 10 a.m. at the Southwest Regional Office, Waterfront A Conference Room, 400 Waterfront Drive, Pittsburgh, PA.

Persons wishing to present testimony should contact Amanda Rodriguez, P.O. Box 8468, Harrisburg, PA 17105, (717) 787-9702 or [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) to reserve a time. Witnesses will be limited to 10 minutes and should provide two written copies of their comments.

If by 12 p.m. on Monday, December 9, 2019, no person has expressed an interest in testifying at the hearing, the hearing will be cancelled. The Department will provide public notice on the Bureau of Air Quality webpage at <http://www.dep.pa.gov/Business/Air/BAQ/Pages/default.aspx> if the hearing is cancelled. Persons may also contact the Department to find out if the hearing is cancelled by contacting Amanda Rodriguez at [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) or (717) 787-9702.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Amanda Rodriguez at [amarodrigu@pa.gov](mailto:amarodrigu@pa.gov) or (717) 787-9702. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 or (800) 654-5988 (voice users) to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than Monday, December 16, 2019. Commentators are encouraged to submit comments using the Department’s online eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment) or by e-mail at [ecomment@pa.gov](mailto:ecomment@pa.gov). Written comments can be submitted by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2563. Use “Greene County Area Ozone” as the subject line in written communication.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 19-1678. Filed for public inspection November 8, 2019, 9:00 a.m.]

## DEPARTMENT OF HEALTH

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

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(j) and (k) (relating to electric requirements for existing and new construction):

Beaumont at Bryn Mawr  
601 North Ithan Avenue  
Bryn Mawr, PA 19010  
FAC ID # 026802

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

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

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

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

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 19-1679. Filed for public inspection November 8, 2019, 9:00 a.m.]

## DEPARTMENT OF STATE

### Corporation Bureau Advisory Committee Meeting

The Corporation Bureau Advisory Committee, under 15 Pa.C.S. § 155(c) (relating to disposition of funds), has scheduled a meeting for Thursday, November 14, 2019, at 11 a.m. for discussion of the Bureau of Corporations and Charitable Organizations’ budget. The meeting will be held in Room 303, Executive Office Conference Room, Department of State, North Office Building, 3rd Floor, Harrisburg, PA 17120. The public is invited to attend. Persons who need accommodation due to a disability and wish to attend the meeting should contact Elizabeth Rago at (717) 783-9210 so that arrangements can be made.

KATHY BOOCKVAR,  
*Acting Secretary*

[Pa.B. Doc. No. 19-1680. Filed for public inspection November 8, 2019, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Public Hearing

PennDOT District 8-0 and the Federal Highway Administration will conduct a public hearing on the I-83 East Shore Section 2 Eisenhower Interchange Reconstruction Project Draft Environmental Assessment and Individual Section 4(f) Evaluation documents on Tuesday, November 19, 2019. It is part of a 45-day public review and

comment period on the draft documents which begins November 3, 2019, and continues through December 17, 2019. Find more information, review documents and provide comments or register to give testimony during the public hearing at <http://www.i-83beltway.com/>.

**I-83 East Shore Section 2 Eisenhower Interchange Reconstruction Project Public Hearing**

*Date:* Tuesday, November 19, 2019  
*Time:* 6 p.m. to 8 p.m. (doors open at 5 p.m.)  
*Location:* Sheraton Harrisburg Hershey Hotel  
 4650 Lindle Road  
 Harrisburg, PA 17111

Find more information or register to give testimony during the public hearing at <http://www.i-83beltway.com/>.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 19-1681. Filed for public inspection November 8, 2019, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### State Transportation Innovation Council Meeting

The State Transportation Innovation Council will hold its business meeting on Wednesday, November 20, 2019, from 9 a.m. to 12 p.m. at the Radisson Penn Harris Hotel, 1150 Camp Hill Bypass, Camp Hill, PA. For more information, contact Anja Walker, (717) 425-6288, [anjwalker@pa.gov](mailto:anjwalker@pa.gov).

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 19-1682. Filed for public inspection November 8, 2019, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agencies must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
47-19	Milk Marketing Board Milk Marketing Fees 49 Pa.B. 4991 (August 31, 2019)	9/30/19	10/30/19
59-10	Office of Attorney General Unfair Market Trade Practices 49 Pa.B. 4993 (August 31, 2019)	9/30/19	10/30/19

**Milk Marketing Board Regulation # 47-19  
(IRRC # 3241)**

**Milk Marketing Fees**

**October 30, 2019**

We submit for your consideration the following comments on the proposed rulemaking published in the August 31, 2019 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) (RRA) directs the Milk Marketing Board (Board) to respond to all comments received from us or any other source.

**1. Determining whether the regulation is in the public interest; Economic or fiscal impacts; and Compliance with the RRA.**

Section 5.2 of the RRA (71 P.S. § 745.5b) directs this Commission to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. To make that determination, the Commission must analyze the text of the proposed regulation and the reasons for the new or amended

language. The Commission also considers the information a promulgating agency is required to provide under Section 5 of the RRA in the Regulatory Analysis Form (RAF). 71 P.S. § 745.5(a).

The Board's Preamble and responses to several questions on the RAF are not sufficient to allow this Commission to determine if the regulation is in the public interest. In the Preamble and RAF submitted with the final-form regulation, we ask the Board to provide more detailed information related to economic and fiscal impact as required under § 745.5(a) of the RRA.

- In response to Regulatory Analysis Form # 28, the Board states even with the proposed fee increase, that there will still be annual deficits, but they will be considerably smaller. In reviewing the "Current and Projected Budget-With Proposed Fee Increase," although the annual deficits for Fiscal Year End (FYE) 20-21 and 21-22 will be substantially less than the annual deficit predicted for FYE 19-20, the projected annual deficit for FYE 22-23 will only be slightly less than the annual deficit projected for FYE 19-20. Based on this data, it seems that in five years the proposed fee package will leave the Board in the same untenable position it is in

today. The Board should explain, in the Preamble to the final rulemaking, its rationale for proposing a fee increase that temporarily reduces annual deficits rather than eliminates them.

- The Board explains, in the Preamble to the proposed regulation, that milk subdealers' volume-based fee (designated as the "quart-equivalent fee") will increase by 25% to a maximum of \$1,750, and will be calculated on the basis of average quarts of milk sold per month, not milk purchased. § 150.22 (relating to Quart-equivalent fee). The Board's description of proposed amendments in the Preamble and its responses to Regulatory Analysis Form (RAF) # 15, # 17 and # 19 do not provide a rationale or explain the need for changing the basis of the quart-equivalent fee assessment. It is also unclear whether this change will have a fiscal impact on subdealers that would be in addition to the volume-based fee increase. The Board should explain, in the RAF and Preamble to the final-form regulation, the need and rationale for the amendment. It should also include any fiscal impacts this change may have on the regulated community.

### 3. Miscellaneous clarity.

In proposed § 150.22 (relating to Quart-equivalent fee) the range of 120,000—149,999 average quarts sold per month the annual fee is set at \$200.00. Modified forms PMMB-001 and 002 show, for the same range, the annual fee as \$250.00. The Board should amend forms PMMB-001 and 002 to be consistent with the proposed fee schedule in § 150.22.

## Office of Attorney General Regulation # 59-10 (IRRC # 3242)

### Unfair Market Trade Practices

October 30, 2019

We submit for your consideration the following comments on the proposed rulemaking published in the August 31, 2019 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Office of Attorney General (OAG) to respond to all comments received from us or any other source.

#### 1. Determination of whether the regulation is in the public interest; Statutory authority; Legislative intent; Clarity, feasibility and reasonableness of the regulation; Implementation procedures; Possible conflict with statutes; and Need.

##### *Regulatory Analysis Form and Preamble.*

Section 5.2 of the Regulatory Review Act (RRA) directs the Independent Regulatory Review Commission (IRRC) to determine whether a regulation is in the public interest. 71 P.S. § 745.5b. In making this determination, IRRC must first consider whether an agency has the statutory authority to promulgate a regulation and whether it conforms to the intent of the General Assembly. 71 P.S. § 745.5b(a). IRRC must also consider criteria such as the clarity, feasibility and reasonableness of the regulation, and analyze the text of the Preamble and the proposed regulation and the reasons for the new language. 71 P.S. § 745.5b(b). IRRC also reviews the information a promulgating agency is required to provide in the Regulatory Analysis Form (RAF) pursuant to Section 5(a) of the RRA. 71 P.S. § 745.5(a)).

The RAF and Preamble state that the purpose of this regulation is to clarify terms under Pennsylvania's Unfair Trade Practices and Consumer Protection Law (UTPCPL)

and to define certain anticompetitive conduct as unfair methods of competition and unfair or deceptive acts or practices. Specifically in the Preamble, the OAG explains its "policy position" that unfair market trade practices constitute unfair methods of competition and unfair or deceptive acts or practices in violation of the act in line with federal jurisprudence interpreting Section 5 of the Federal Trade Commission Act (FTCA). The Preamble further explains that the legislature did not act to pass antitrust legislation because it believes it to be redundant with the existing consumer protection law. Also, Commonwealth Court's decision in *Andarko Petroleum Corp. v. Commonwealth*, 206 A.3d 51 (Pa. Cmwlth. 2019) gives the OAG the authority to promulgate definitions and deem certain anticompetitive conduct as "unfair methods of competition" or unfair or deceptive acts or practices under the Act through the administrative rulemaking process. Additionally, the Preamble states that because residents do not have a clear understanding of their legal remedies for injury resulting from anticompetitive conduct, this proposed rulemaking "will remedy this unfair vacuum under Commonwealth law."

The OAG has the statutory authority to promulgate regulations as may be necessary to enforce and administer the UTPCPL. 73 P.S. § 201-3.1. That regulatory authority does not extend to the FTCA. We understand the OAG's explanation and analysis of the *Andarko* case. However, it remains unclear where the authority exists to not only define and clarify existing terms used in the statute and regulation, but to add new legal prohibitions (including antitrust violations) to those terms where the statutory language is clear. For example, the statutory definition of "unfair methods of competition" and "unfair or deceptive acts or practices" defines these terms with twenty-one specified categories of unlawful conduct. 73 P.S. § 201-2. Section 311.2.24 of the proposed regulation repeats this list and adds three new categories. Within each of those three categories is a list of new categories of prohibited conduct that are not found within the statute. Similar issues are raised in the comments below.

We have found no indication that there was an intent by the legislature for the UTPCPL to be expanded by regulation by adding new categories of antitrust activities. The proposed rulemaking copies much of the statutory text and supplements it with new prohibitions, effectively amending the law.

While the courts have given administrative agencies some deference in interpreting their respective enabling statutes, they may not promulgate regulations that are inconsistent with the law or without the appropriate delegated authority by the General Assembly. See *Keith v. Commonwealth*, 151 A.3d 687, 695 (Pa. Cmwlth. 2016), citing *Borough of Pottstown v. Pennsylvania Municipal Retirement Bd.*, 712 A.2d 741, 743 (Pa. 1988) (such regulations are "valid...to the extent that they merely construe a statute and do not improperly expand upon its terms").

In the final-form rulemaking package, we ask the OAG to further explain why this regulation is consistent with its statutory authority and the intent of the General Assembly.

##### *Possible conflict with or duplication of statutes or existing regulations.*

Commentators identified the following federal and state statutes, regulations and policies that they believe the proposal either conflicts with or duplicates.

- *UTPCPL*: The OAG states that the purpose of the rulemaking is to define and clarify certain terms under

the UTPCPL in line with state and federal case law. While the proposal incorporates most of the consumer protections provisions of the UTPCPL (excluding the dog purchase provisions in Section 201-9.3) it does not carry over Sections 201-7 (relating to Contract: effect of rescission) and 201-9.1 (relating to Powers of receiver). It is clear some statutory language was carried over to the proposed regulation for clarification purposes. However, why is all of the statutory language copied with the exception of those provisions? The OAG should also refer to Section 2.14(a) of the *Pennsylvania Code and Bulletin Style Manual*.

- *Unfair Insurances Practice Act*: Commentators assert the proposed rulemaking is duplicative and may also be inconsistent with the Unfair Insurance Practices Act, 40 P.S. §§ 1171.1, et seq., which acts as an insurance specific version of the UTPCPL. They seek clarification from the OAG as to whether the proposal is to be implemented concurrently with Unfair Insurances Practice Act and in coordination with the Pennsylvania Insurance Department.

- *Department of Banking and Securities Code*: Similar industry-specific concerns are raised by the association representing bankers. It states that the proposed regulation is based on the premise that the scope of the OAG's authority under the UTPCPL is co-extensive with the power granted to the Federal Trade Commission (FTC). However, under Section 5 of the FTCA, the FTC does not have the authority to regulate unfair methods of competition and unfair or deceptive acts or practices of banks, savings associations and credit unions. 15 U.S.C.A. § 45(a)(2).

- *Sherman Act*: See comments under the definition of "Unfair market trade practices."

- *Clayton Act*: The Hospital and Healthsystem Association of PA (HAP) submits that the federal Clayton Act currently allows the OAG to bring an action to block a merger of two hospitals on the ground that the merger is anticompetitive. But, because there is no state antitrust statute, the OAG has been limited in the antitrust enforcement actions it could bring against hospitals. With the proposed regulation, the OAG and private parties would be able to challenge activities that have been subject to enforcement by the federal antitrust enforcement authorities. HAP believes that the proposed rulemaking increases the risk that hospitals will face a state enforcement action that would not meet the threshold of potential harm for a federal enforcement action.

- *Class Action Fairness Act*: See comments on Section 311.9(c).

- *OAG "Tying Arrangement Enforcement Policy."* The PA Manufactured Homes Association (PMHA) is concerned that the proposed regulations, specifically the definition of "unfair market trade practices" could be interpreted to include the tying arrangements that the OAG approved in 1993 and included in its Tying Arrangement Enforcement Policy. If this were to occur, community owners and retailers/seller could be at risk of liability for conducting themselves in a manner that OAG has previously approved. According to PMHA, nothing has changed since 1993 that would indicate that the Tying Arrangement Enforcement Policy is no longer relevant or necessary.

- *Commonwealth Attorneys Act*: The PA Bankers Association acknowledges that the OAG has the power to initiate actions to enforce federal antitrust laws under 15 U.S.C.A. § 15c and under section 204(c) of the Common-

wealth Attorneys Act (CAA). Because there is no antitrust law in Pennsylvania, the power of the OAG to enforce antitrust violations is currently limited to the authority granted to states to enforce federal antitrust law provided by 15 U.S.C.A. § 15c and the CAA. The OAG cannot expand its powers to enforce antitrust laws beyond what the legislature granted in section 204(c) of the CAA by regulation.

In the final-form rulemaking package, the OAG should explain why this regulation is consistent with existing laws. Recognizing that a regulation has the full force and effect of law and that it establishes binding norms on the regulated entity and the agency that promulgates it, the OAG should provide a detailed explanation of how it plans to implement the rulemaking and simultaneously implement the tying arrangement policy with the manufactured homes industry which may conflict with the regulation.

#### *Need*

As noted above, the OAG has the authority to enforce the consumer protection laws under the UTPCPL, as well as federal antitrust violations pursuant to Section 202(c) of the CAA. Most of the provisions of the UTPCPL are repeated in the proposed regulation. In the final-form regulation, we ask the OAG to explain the need to include provisions that are already covered by existing laws.

#### *Reaching of consensus.*

We received comments from organizations representing varied interests and input from an antitrust law expert. Only one commentator expressed support for the proposal, but still offered substantive changes to the rulemaking. In broad terms, commentators questioned the statutory authority of the OAG to implement an antitrust law via the regulatory review process. Many expressed concern that the proposed rulemaking is also contrary to the legislative intent of the UTPCPL. Namely, they believe that the legislature did not intend for the UTPCPL to be an antitrust law, but rather a fraud prevention statute to protect consumers and purchasers of home goods and services by placing them on more equal footing with sellers in consumer transactions. Commentators offered numerous examples of where they believe the proposal conflicts with or is duplicative of existing federal and state laws. One commentator asks how the provisions will affect a longstanding written agreement that its industry has had with the OAG.

Section 2 of the RRA explains why the General Assembly felt it was necessary to establish a regulatory review process. Given the interest this proposal has generated, we believe it is appropriate to highlight the following provision: "To the greatest extent possible, this act is intended to encourage the resolution of objections to a regulation and the reaching of a consensus among the commission, the standing committees, interested parties and the agency." 71 P.S. § 745.2.

Additionally, the UTPCPL provides that the Attorney General may adopt regulations as may be necessary for the enforcement and administration of the Act after a public hearing. 73 P.S. § 201-3.1. In RAF # 14 and # 29, it states that the OAG conducted a public hearing on September 11, 2018. Was the public hearing conducted for this proposed rulemaking or for a prior version of the rulemaking? If the hearing was for a prior version of the proposal, we strongly encourage the OAG to seek input from the regulated community prior to submitting a final-form regulation. Not only would such a hearing for this rulemaking be consistent with the requirements of



the UTPCPL but it would also aid in building a consensus with members of the regulated community as set forth in the RRA.

In order to resolve many of the objections raised by the commentators, we strongly encourage the OAG to hold a public hearing or meet with the regulated community. We also suggest that the OAG issue an Advanced Notice of Final Rulemaking. This would allow interested parties and the OAG the opportunity to resolve as many concerns as possible prior to the submittal of the final-form regulation.

**2. Whether the regulation represents a policy decision of such a substantial nature that it requires legislative review.**

The proposed regulation significantly expands the UTPCPL by including antitrust provisions that are currently actionable under federal law. It expands the range of transactions to all economic transactions and not just limited to unfair or fraudulent or deceptive conduct which creates a likelihood of confusion or misunderstanding. It also creates new private actions, gives the OAG the power to veto all UTPCPL class action settlements and to issue subpoenas. On page 2 of the Preamble, the OAG explains that this regulation “will remedy this unfair vacuum under Commonwealth law.”

Several commentators have observed that despite numerous attempts over the years, the General Assembly has not enacted state antitrust legislation. The long history of legislative efforts to adopt antitrust provisions in the form of a separate, freestanding statute demonstrates that the UTPCPL was not intended by the General Assembly to be an antitrust law. A recent attempt was Senate Bill 858, introduced in 2017. In the accompanying memorandum to the bill, Senator Stewart Greenleaf explained the need for a comprehensive antitrust law because the OAG (1) does not have the ability to subpoena documents; (2) may lose control over litigation by bringing action in federal, rather than State, court; and (3) may not be able to recover damages from activities such as price fixing. Among other things, the intent of Senate Bill 858 was “to make illegal any contract conspiracy or combination in restraint of trade and any monopolization in restraint of trade.” We therefore question whether this purported vacuum in state law is a matter for the legislature to address. We also question whether the extension of the OAG’s enforcement power is a matter for which the OAG should seek legislative approval.

**3. Economic or fiscal impact; and Implementation.**

The OAG states that there are no anticipated costs and/or savings to the regulated community or to the Commonwealth associated with the implementation of this rulemaking. (RAF # 19, # 21) Commentators disagree with the OAG’s assessment of the fiscal impact.

The proposal’s definition of “unfair conduct,” according to commentators, is overly broad and does not provide a clear standard as to what conduct is actually being prohibited. As a result, enforcing the definition of “unfair conduct” has the potential to vastly expand the number of lawsuits asserting UTPCPL claims. Whether the claims have merit or not, they believe they will be costlier and riskier to defend and likewise to settle.

Others contend that some of the proposal’s requirements are duplicative of rules and laws that already exist for their particular industries. This redundancy, they

claim, would likely increase costs since they would need to ensure compliance with the UTPCPL as well as industry-specific statutes.

Two commentators observe that Section 311.9(c) (relating to Private actions) would require the OAG to maintain an “apparatus” or “redeploy valuable resources” to respond to all class action settlements asserting claims under the act as interpreted by the rulemaking. The OAG should explain how Section 311.9(c) will be implemented. It should also review and revise the Preamble and RAF to reflect any fiscal impacts the rulemaking will have upon the regulated community and the Commonwealth’s resources.

**4. Section 311.2. Definitions.—Statutory authority; Legislative intent; Clarity and lack of ambiguity; Conflicts with other statutes and regulations.**

The following definitions utilize derivatives of the term within the definition: “ascertainable loss,” “deceptive conduct,” “fraudulent conduct,” “marketing communication,” “tangible document or recording,” and “trade and commerce.” Section 2.11(h) of the *PA Code and Bulletin Style Manual (Style Manual)* states the term being defined may not be included as part of the definition. The OAG should amend the definition section in the annex to the final-form rulemaking to make certain that derivatives of the term being defined are not included in the definition.

The definitions for the following terms are overly broad or vague: “as a result of,” and “articles of trade or commerce,” “deceptive conduct,” “fraudulent conduct,” “representing,” “sale” and “unfair conduct.” The OAG should clarify these terms in the final rulemaking. We would encourage the OAG to seek input from the regulated community and commentators in crafting new definitions.

*“Advertising”*

This definition applies only to “advertising” in Section 3112.2(24). It is presumed that this definition is different than the “advertising” that appears in the definition of “trade and commerce.” Section 2.11(e) of the *Style Manual* states that substantive (that is, regulatory) provisions may not be in a definition section. Since the OAG is setting apart this definition from the “advertising” in the definition of “trade and commerce,” the OAG should establish a separate section to deal with the differences or special circumstances.

*“Deceptive conduct”*

This term is defined as “[a] method, act or practice which has a capacity or tendency to deceive.” This definition appears to significantly expand the range of actionable conduct under the UTPCPL, which limits deceptive conduct to that “which creates a likelihood of confusion or of misunderstanding” (see 73 P.S. § 201-2(4)(xxi)) to conduct “which has a capacity or tendency to deceive.”

*“Moneys or property, real or personal”*

This definition incorporates items that could be recoverable by the OAG in § 311.5, including attorneys’ fees, expert fees investigation and litigation costs. Commentators contend that inclusion of these items into the definition is not consistent with the plain meaning of these terms. Moreover, they believe the OAG does not have the authority to expand that which is recoverable under the UTPCPL. The OAG should explain how this amendment is consistent with its statutory authority and the intent of the General Assembly.

*“Sale”*

A sale includes buying and selling, not buying or selling. As proposed, purchasers and consumer, who are supposed to be protected under the law, could now be subject to liability for violations under the law. The phrase “any other similar activity” is vague. The OAG should revise this definition in the final-form rulemaking to make it clearer. Commentators suggest, and we agree, that the definition should include “leasing.”

*“Trade and Commerce”*

The OAG proposes to expand the statutory definition of “trade and commerce” to apply to advertising, offering for sale, sale, or distribution of goods, services and property “without regard to any further limitation or specification as to a person.” Commentators state the effect of this amendment, coupled with the proposed definitions of “sale,” “transaction,” and “article of trade or commerce” broadly expands the UTPCPL from “policing traditional buyer-seller consumer transactions into covering all economic transactions.” What is the statutory authority for this amendment? How is it consistent with the legislative intent of the General Assembly?

*“Unfair conduct.”*

This term is defined as:

A method, act or practice, without necessarily having been previously considered unlawful, which violates public policy as established by any statute, the common law or otherwise within at least the penumbra of any common law, statutory or other established concept of unfairness; which is unscrupulous, oppressive or unconscionable; or which causes substantial injury to a victim.

The definition is so broad and ambiguous that it provides very little guidance as to what types of actions would not be considered to be actionable. Some of the confusing phrases include “without necessarily having been previously considered unlawful,” “which violates public policy,” “or otherwise within at least the penumbra . . .”

In the context of the UTPCPL, it appears that unfair conduct, acts or practices is limited to that which creates a likelihood of confusion or of misunderstanding. How is the proposed language consistent with the statute?

*“Unfair market trade practices”*

Subparagraph (v) prohibits any contract “where the sale of an article or trade or commerce is conditioned upon the seller’s purchase of any other article of trade or commerce produced or performed by the buyer.” What type of behavior is this provision trying to prevent? It appears to be very broad and could have the effect of restricting all types of promotional activities, such as buy one item and get another for half price.

The terms “actual monopolization” and “actual monopoly power” are used in subparagraphs (vii)—(ix). One commentator states that Section Two of the Sherman Act governing monopolization does not include the term “actual.” The proposed rulemaking provides no guidance as to what “actual” adds to the Sherman Act definition and may be construed to be a limitation. The commentator suggests, and we agree, the term “actual” should be deleted or a clarification of its purpose be provided.

Subparagraph (viii) uses phrases “competitively unreasonable practices” and “dangerous probability.” These terms are not defined in the regulation. The OAG should define these terms in the annex of the final-form regulation.

*“Unfair methods of competition and unfair or deceptive acts or practices”*

This definition tracks the UTPCPL with the exception of three new categories of conduct or practices that are broadly defined in this regulation: Unfair market trade practices; Unfair conduct; and Deceptive conduct.

Commentators question the statutory authority of the OAG to add these antitrust violations to the list of acts specified in the UTPCPL. Furthermore, it is their view, that each one of the three new definitions is “problematic in its vagueness, subjectivity and potential for abuse.” How is the regulated community to know what constitutes the extent of a penumbra of a law? How will they know what an established concept of unfairness is? What is the statutory authority that permits the OAG to expand this definition to include three new categories of conduct or practices?

**5. Section 311.3. Unlawful acts or practices; exclusions.—Conflict with statute or regulations and Statutory authority.**

This subsection mostly tracks the language of the statute by declaring unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce to be unlawful. However, the statute specifically mentions “as defined by subclauses (i) through (xxi) of clause (4) of section 2 of the act and regulations promulgated under section 3.1 of this act are declared unlawful.” The proposal omits the language that references the 21 acts explicitly included under the definition “unfair methods of competition” and “unfair or deceptive acts or practices.”

Also the OAG proposes to add that “any owner, publisher, printer, agent or employee of an Internet service provider” to the list of broadcast and print media that is excluded from the provisions of the chapter. The OAG should explain how these amendments are consistent with the UTPCPL and the intent of the General Assembly.

**6. Section 311.4. Restraining prohibited acts.—Statutory authority; Need.**

This section amends Section 201-4 of the UTPCPL by (1) replacing the statutory list of unlawful conduct with a new list in Section 311.3, and (2) adding that “[t]he payment of rebate by any person to a person in interest does not act as a bar to the imposition of a temporary or permanent injunction or the award of any form of monetary relief under the chapter.” What is the statutory authority and need for this added language?

If needed, why is the new language for rebates in this section rather than in a separate section?

**7. Section 311.5. Payment of costs and restitution.—Statutory authority and legislative intent.****Section 311.6. Assurances of voluntary compliance.****Section 311.7. Civil penalties.****Section 311.8. Forfeiture of franchise or right to do business; appointment of receiver.**

Similar to Section 311.4, these provisions track the statutory language in Sections 201-4.1, 201-5, 201-8, and 201-9, respectively, of the UTPCPL with one modification. They each replace the statutory list of violations with the newly-expanded list of violations in this regulation. What is the statutory authority for this change?

**8. Section 311.9. Private actions.—Statutory authority; Possible conflict with statute; Fiscal or economic impact; Conflict with statutes and regulations; and Implementation.**

*Subsections (a) and (b)*

Subsections (a) and (b) track the statutory language in Section 201-9.2 of the UTPCPL but they replace the references to the statutory list of violations to the new violations in the regulation. What is the statutory authority for these changes?

*Subsection (c)*

Commentators remark that this subsection conflicts with the federal Class Action Fairness Act (CAFA). CAFA requires notice to the OAG of any class action settlement, but instead of consent, provides opportunity for the OAG to object. It also requires that more information be provided to the OAG than is in the proposed rulemaking.

They also observe that this provision would require the OAG “to maintain an apparatus that would be required to respond to all class action settlements asserting claims under the act as interpreted by the Rule.” Another commentator expresses similar concern that this provision would require the OAG to “redeploy considerable internal resources” that could be spent on other pressing matters before the Commonwealth. The final-form rule-making package should clarify the OAG’s authority to consent to private class action lawsuits and whether this provision conflicts with federal law.

*Subsection (d)*

This provision limits a person’s right to challenge legal representation except as set forth in the CAA. What is the OAG’s authority to limit a statutory right in a legal action by regulation, and is this provision consistent with the statute?

**9. Section 311.10. Subpoena power.—Statutory authority; Legislative intent.**

What is the OAG’s statutory authority to grant itself the power to issue subpoenas? We note that when the UTPCPL was amended by Act 260 of 1976, a similar provision was deleted. We therefore question whether this proposed language was intended by the General Assembly.

**10. Section 311.11. Interpretation.—Statutory authority; Legislative intent; Clarity; and Need.**

The phrase “unfair or deceptive business practices” is used in subsection (a). The term “business practices” is not defined and does not appear elsewhere in the annex. “Business” should be deleted from the phrase or the term “business practices” defined.

Also, this subsection uses the term “will.” Should it be “shall?” See Section 6.7 of the *Style Manual*. (“Will” is also used in Subsection (b).)

As discussed in the first comment, this proposed rule-making incorporates the statutory list of acts or practices that are to be considered unlawful under the definition of “unfair methods of competition and unfair or deceptive acts or practices” and expands the list. What is the authority for the OAG to determine how the law will be interpreted and construed and was this intended by the General Assembly? What is the need for this section?

**11. Section 311.12. Waiver of rights.—Statutory authority; Legislative intent; and Need.**

What is the authority for the OAG to determine by regulation that a waiver of rights under the regulation is a violation of the UTPCPL? What is the intent of the legislature to allow a further expansion of unlawful activities?

**12. Miscellaneous clarity.**

- Definitions in regulations are not typically numbered when published in the *PA Code and Bulletin*. (See *Style Manual*, § 2.11(g).) However, at a minimum, they should be outlined consistently with the *Style Manual*. For example, reference to making telephone solicitations without proper identification of the seller as Section 311.2.24(a)(A), as well as the rest of this section, does not adhere to the requirements of the *Style Manual*, § 2.1.

- Inconsistent formatting: Although many of the definitions are copied directly from the statute, they should be consistent in the regulation. Some definitions start with the word “means” and while most do not. Also, the text of some definitions begin with a capital letter and some do not. For example: “Documentary material—means the original or a copy of any book, record, report. . .” should read: “Documentary material—the original or a copy of any book, record, report. . .”

- The term “fraudulent conduct” does not appear in the annex. In paragraph (x) of the definition of “Unfair methods of competition and unfair or deceptive acts or practices,” the term “fraudulent” is part of the phrase “fraudulent or deceptive conduct.” It does not appear as a standalone term.

- RAF # 29 sets forth the regulatory review schedule, including a delivery and effective date for the final-form regulation as Fall 2019. Since the statutory deadline for these comments is October 30, 2019 under the RRA (see 71 P.S. § 745.5(g)), the OAG should revise this timetable in the RAF for the final-form regulation.

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 19-1683. Filed for public inspection November 8, 2019, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, Harrisburg,

PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
104-1	Pennsylvania Labor Relations Board Board Rules and Regulations	10/23/19	12/5/19

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 19-1684. Filed for public inspection November 8, 2019, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Renewal of Designation as a Certified Reinsurer

Swiss Reinsurance Company, Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on October 29, 2019, and was made under section 319.1(a) of The Insurance Company Law of 1921 (40 P.S. § 442.1(a)) and 31 Pa. Code § 161.3a (relating to requirements for certified reinsurers).

Persons who wish to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Kimberly A. Rankin, Director, Bureau of Company Licensing and Financial Analysis, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [krankin@pa.gov](mailto:krankin@pa.gov). Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 19-1685. Filed for public inspection November 8, 2019, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Health Maintenance Organization Certificate of Authority Application Filed by Spartan Plan VA, Inc.

Spartan Plan VA, Inc. filed an application with the Insurance Department on June 26, 2019, and with the Department of Health on September 24, 2019, for a certificate of authority to operate 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 Bucks, Chester, Delaware and Montgomery 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 Karen Feather, 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 using the 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,  
*Insurance Commissioner*

[Pa.B. Doc. No. 19-1686. Filed for public inspection November 8, 2019, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security or Insufficient Financial Security Amount or Language

Public Meeting held  
October 24, 2019

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

*Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security or Insufficient Financial Security Amount or Language;*  
M-2019-3006865

#### 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 October 11, 2019, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount or language directed by the Commission, to replace a bond which is expired or which is non-compliant with Commission regulations.

*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 or Language</i>
A-2009-2134418	ACCLAIM ENERGY, LTD	9/10/2019	Yes
A-110173*	AMERICAN POWERNET MANAGEMENT LP	10/2/2019	Yes
A-2009-2142612	CHOICE ENERGY SERVICES RETAIL LP	9/22/2019	Yes
A-2013-2367313	INSIGHT ENERGY, LLC	9/24/19	Yes
A-2008-2077880	TAYLOR CONSULTING AND CONTRACTING, LLC	10/6/2019	Yes
A-2010-2207031	WINSTAR SOLUTIONS, LLC	9/23/2019	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 in the amount or language directed by the Commission, 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 the 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 License 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, all electric distribution companies, all of the Electric Generation Suppliers in the Supplier Table and publish a copy of this Tentative Order in the *Pennsylvania Bulletin* with a 30-day comment period.

3. The Secretary serve a copy of this Tentative Order upon the Department of Revenue—Bureau of Compliance, Business License Clearance Division.

4. 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.

5. 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.

6. Upon entry of the Final Order described in Ordering Paragraph No. 3, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 19-1687. Filed for public inspection November 8, 2019, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Protests may only be filed if there is evidence that the applicant lacks fitness. Protests based on endangering or impairing operations of an existing carrier will not be honored. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant by November 25, 2019. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### **Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.***

**A-2019-3012657. United Express Limousine, Inc.** (343 North 8th Street, Reading, Berks County, PA 19601) in paratransit service, from points in Berks County, to points in Pennsylvania, and return.

**A-2019-3013005. Braden Scott Kennedy, t/a Here-2-There Taxi** (202 Nesbit Street, Franklin, Venango County, PA 16323) persons in paratransit service, between points in Venango County.

**A-2019-3013403. Abby Nursing, LLC** (450 Byberry Road, # B44, Philadelphia, PA 19116) persons in paratransit service, from points in the Counties of Bucks, Chester and Montgomery and the City and County of Philadelphia, to points in Pennsylvania, and return.

#### **Application 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 the application.***

**A-2019-3013769. Fragile Moving, Inc.** (194 Passaic Street, Suite 2D, Hackensack, NJ 07601) household goods in use, between points in Pennsylvania.

#### **Application of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.***

**A-2019-3013057. Full Spectrum Executive Transport, LLC** (1513 King Henry Drive, Pittsburgh, Allegheny County, PA 15237) discontinuance of service and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in the Counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Lawrence, Mercer, Washington and Westmoreland. *Attorney:* Shawn J. Haag, 3960 Route 8, Suite 200, Allison Park, PA 15101.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 19-1688. Filed for public inspection November 8, 2019, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Formal Complaints

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due November 25, 2019, and must be made with the Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

#### **Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Amazed, Inc.; Docket No. C-2019-3013078**

#### 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 Amazed, Inc., (respondent) is under suspension effective September 11, 2019 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at P.O. Box 434, Hilltown, PA 18927.

3. That respondent was issued a Certificate of Public Convenience by this Commission on August 31, 2018, at A-8921075.

4. That respondent has failed to maintain evidence of Liability and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 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 \$500.00 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-8921075 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  
400 North Street  
Harrisburg, PA 17120

#### 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: 9/25/2019

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  
400 North Street  
Harrisburg, PA 17120

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  
400 North Street  
Harrisburg, PA 17120

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  
400 North Street  
Harrisburg, PA 17120

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

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. 19-1689. Filed for public inspection November 8, 2019, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Transfer by Sale

**A-2019-3013920. PECO Energy Company.** Application of PECO Energy Company for approval of the transfer by sale to Hatboro Borough of street lighting facilities located in Montgomery County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before November 25, 2019. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA

17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* PECO Energy Company

*Through and By Counsel:* Jack R. Garfinkle, Associate General Counsel, PECO Energy Company, 2301 Market Street, S23-1, P.O. Box 8699, Philadelphia, PA 19101-8699

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 19-1690. Filed for public inspection November 8, 2019, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority applications to render service as common carriers in the City of Philadelphia have been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than November 25, 2019. The nonrefundable protest filing fee is \$5,000 payable to the PPA by certified check or money order. The applications are available for inspection at the TLD between 9 a.m. and 4 p.m., Monday through Friday (contact TLD Director Christine Kirlin, Esq. at (215) 683-9653 to make an appointment) or may be inspected at the business addresses of the respective applicants or attorneys, or both.

**Doc. No. A-19-10-02. Three Sons Cab, LLC** (7714 Rockwell Avenue, Philadelphia, PA 19111): An application for a medallion taxicab certificate of public convenience (CPC) to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* Danielle Friedman, Esq., 2301 Church Street, Philadelphia, PA 19124.

**Doc. No. A-19-10-03. Pacific Associate, LLC** (114 Aston Road, Upper Darby, PA 19082): An application for a medallion taxicab CPC to transport, as a common carrier, persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return. *Attorney for Applicant:* David R. Alperstein, Esq., 314 Cherry Avenue, Voorhees, NJ 08043.

SCOTT PETRI,  
*Executive Director*

[Pa.B. Doc. No. 19-1691. Filed for public inspection November 8, 2019, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Service of Reminder Notice of Citation Complaint

**Philadelphia Parking Authority, Taxicab and Limousine Division v. Oussama Moutki, H-114338; Doc. No. C-19-08-063**

Attention Oussama Moutki, last known address of 5011 Sansom Street, Philadelphia, PA 19139, this is a reminder notice that Citation Complaints T-28737, T-28738 and T-28739 (Citations) were issued against you by the Enforcement Department of the Philadelphia Parking Authority's (Authority) Taxicab and Limousine Division (TLD) via publication in the *Pennsylvania Bulletin* on October 12, 2019 (see 49 Pa.B. 6048), citing you have committed the following: in citation T-28737, a violation of 52 Pa. Code § 1017.24 for "failure to properly activate and display the meter" which carries a recommended penalty of \$100; in citation T-28738, a violation of 52 Pa. Code § 1021.11 for "rates charged other than tariff" which carries a recommended penalty of \$500; and in citation T-28739, a violation of 52 Pa. Code § 1021.11 for "discourage, prevent or refuse use of a credit card" which carries a recommended penalty of \$1,000. Pursuant to 52 Pa. Code § 1005.13(b) (relating to answers to citations), an answer to the Citations was due no later than October 28, 2019.

Respondents must either request a hearing on a citation or pay the penalty identified in a citation within fifteen (15) days of issuance. See 52 Pa. Code § 1005.13(b). If you fail to take immediate action by either requesting a hearing or paying the penalty amounts identified above, it may result in the entry of a default order as to the Citations and the penalties; along with imposing any suspension or revocation that may be identified in the Citations.

Please take the necessary actions to satisfy the Citations immediately. Payments made payable to the Philadelphia Parking Authority or requests for a hearing may be submitted to:

Office of the Clerk  
Philadelphia Parking Authority  
Taxicab and Limousine Division  
2415 South Swanson Street  
Philadelphia, PA 19148

If you have any questions concerning this notice, please do not hesitate to contact the TLD's Office of the Clerk, Heidi Robb, Clerk, (215) 683-9498, [TLDclerk@philapark.org](mailto:TLDclerk@philapark.org).

SCOTT PETRI,  
*Executive Director*

[Pa.B. Doc. No. 19-1692. Filed for public inspection November 8, 2019, 9:00 a.m.]

## STATE BOARD OF BARBER EXAMINERS

**Bureau of Professional and Occupational Affairs v. David Sabol, t/d/b/a David Sabol's Barber Shop; Case No. 17-42-07439**

On September 19, 2018, David Sabol, t/d/b/a David Sabol's Barber Shop, license No. BO433269, of Ambridge,



Beaver County, was levied a civil penalty of \$500 for operating on a lapsed or expired license.

Individuals may obtain a copy of the final order by writing to Ronald K. Rouse, Board Counsel, State Board of Barber Examiners, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Barber Examiners (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.

DOMINIC L. MUNIZ,  
*Acting Chairperson*

[Pa.B. Doc. No. 19-1693. Filed for public inspection November 8, 2019, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Barbara Ann Anders, RN; Case No. 16-51-08556

On March 15, 2018, Barbara Ann Anders, RN, license No. RN641074, last known of Farmington, Fayette County, had her license indefinitely suspended and was ordered to pay a \$500 civil penalty, based on having received disciplinary action by the proper licensing authority of another state and failure to report same to the State Board of Nursing (Board).

Individuals may obtain a copy of the final order 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 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.

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

[Pa.B. Doc. No. 19-1694. Filed for public inspection November 8, 2019, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Hope Marie Carneval, LPN; Case No. 16-51-11790

On September 26, 2018, Hope Marie Carneval, LPN, license No. PN264262, last known of Erie, Erie County, had her practical nurse license indefinitely suspended and must complete 6 hours of continuing education in ethics, based on having received Accelerated Rehabilitative Disposition for two felonies.

Individuals may obtain a copy of the final order 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.

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

[Pa.B. Doc. No. 19-1695. Filed for public inspection November 8, 2019, 9:00 a.m.]

## STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

### Bureau of Professional and Occupational Affairs v. Cody L. Arnold; Case No. 16-60-013297

On April 2, 2019, Cody L. Arnold, license No. MV207805, of Orange, CA, was indefinitely suspended for no less than 1 year and levied a civil penalty of \$1,000, based on misdemeanor and felony convictions.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P.O. Box 69523, Harrisburg, PA 17106-9523.

This order represents the final State Board of Vehicle Manufacturers, Dealers and Salespersons (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.

DANIEL G. MURPHY, III,  
*Chairperson*

[Pa.B. Doc. No. 19-1696. Filed for public inspection November 8, 2019, 9:00 a.m.]

## STATE ETHICS COMMISSION

### Gaming Act List Update

The State Ethics Commission has submitted an update to the Gaming Act list published at 48 Pa.B. 3221 (May 26, 2018). The update is as follows:

#### *Public Officials:*

Gaming Control Board Chairperson  
Gaming Control Board Members

#### *Executive Level Public Employees:*

The following positions are covered insofar as they have duties and responsibilities relating to gaming issues or licensing:

Administrative Director  
 Assistant Chief Counsel  
 Assistant Enforcement Counsel  
 Audit Manager  
 Auditor  
 Casino Compliance Representative  
 Casino Compliance Senior Supervisor  
 Casino Compliance Supervisor  
 Chief Counsel  
 Chief Enforcement Counsel  
 Compliance Examiner  
 Compliance Manager  
 Deputy Chief Counsel  
 Deputy Chief Enforcement Counsel  
 Deputy Director of Investigations and Enforcement  
 Director, Casino Compliance  
 Director, Communications  
 Director, Compulsive and Problem Gambling  
 Director, Gaming Operations  
 Director, Gaming Laboratory Operations  
 Director, Office of Hearings and Appeals  
 Director, Investigations and Enforcement  
 Director of Licensing  
 Director, Racetrack Gaming  
 Electronics Engineer

Executive Director  
 Financial Investigations Supervisor  
 Forensic Accountant  
 Hearing Officer  
 Investigator  
 Investigator Supervisor  
 Legislative Liaison  
 Licensing Manager  
 Special Counsel to the Executive Director/Chief Diversity  
 Officer  
 Senior Auditor  
 Senior Counsel  
 Senior Enforcement Counsel  
 Statistician\*  
 Technical Field Representative

\*No longer subject to the restrictions of section 1201(h)(13) of the Gaming Act (4 Pa.C.S. § 1201(h)(13) (relating to Pennsylvania Gaming Control Board established)). See Commission Gaming Determination Meluskey: 18-2001.

ROBERT P. CARUSO,  
*Executive Director*

[Pa.B. Doc. No. 19-1697. Filed for public inspection November 8, 2019, 9:00 a.m.]



