

PENNSYLVANIA BULLETIN

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Agencies in this issue

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Department of Banking and Securities
Department of Conservation and Natural Resources
Department of Environmental Protection
Department of Health
Department of Human Services
Department of Transportation
Independent Regulatory Review Commission
Insurance Department
Pennsylvania Infrastructure Investment Authority
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
Professional Standards and Practices Commission
State Athletic Commission
State Board of Education
State Board of Nursing
Thaddeus Stevens College of Technology
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**Latest Pennsylvania Code Reporter
(Master Transmittal Sheet):**

No. 541, December 2019

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

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Rules and Regulations

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacode.com.

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

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

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

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

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Printing Format

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

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

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

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

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

Court Rules in Titles 201—246 of the Pennsylvania Code

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

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

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

Fiscal Notes

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

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

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

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List of Pa. Code Chapters Affected

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

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THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 81]

Proposed Amendments to the Pennsylvania Rules of Professional Conduct Regarding Fees

Notice is hereby given that the Disciplinary Board of the Supreme Court of Pennsylvania (“Board”) plans to recommend to the Supreme Court of Pennsylvania that it adopt amendments to Pennsylvania Rule of Professional Conduct (“RPC”) 1.5 relating to fees, as set forth in Annex A. This proposed rule amendment adds a reference in the commentary to a recent American Bar Association (“ABA”) formal opinion on the topic of fee division in contingency-fee matters when a lawyer is replaced.

On June 18, 2019, the ABA issued Formal Opinion 487 (“Fee Division with Client’s Prior Counsel”) to address fee splitting arrangements when a lawyer in a separate firm replaces the first lawyer in a contingency-fee case. The opinion underscores that a previous attorney, whose services are terminated without cause, may be entitled to a fee for services performed prior to discharge and that any proposed agreement between the initial attorney and successor attorney should be fully disclosed and discussed with the client. While this opinion is not binding precedent, it provides helpful guidance to successor counsel and predecessor counsel in this common situation. The original lawyer in a contingency-fee matter will often assert a lien on the proceeds. But if the client retains new counsel, that client may not understand there is a continuing obligation to pay the original lawyer for the value that lawyer contributed or was entitled to under the original fee agreement.

The Board proposes amending Comment (4) of RPC 1.5 to reference Formal Opinion 487, which will provide lawyers with an additional resource on the topic of splitting fees.

Interested persons are invited to submit written comments by mail or facsimile regarding the proposed amendments to the Executive Office, The Disciplinary Board of the Supreme Court of Pennsylvania, 601 Commonwealth Avenue, Suite 5600, PO Box 62625, Harrisburg, PA 17106-2625, Facsimile number (717-231-3381), Email address Dboard.comments@pacourts.us on or before January 6, 2020.

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

JESSE G. HEREDA,
Executive Director

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

Subchapter A. RULES OF PROFESSIONAL CONDUCT

§ 81.4. Rules of Professional Conduct.

The following are the Rules of Professional Conduct:

CLIENT-LAWYER RELATIONSHIP

Rule 1.5. Fees.

(a) A lawyer shall not enter into an agreement for, charge, or collect an illegal or clearly excessive fee. The factors to be considered in determining the propriety of a fee include the following:

- (1) whether the fee is fixed or contingent;
- (2) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (3) the likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- (4) the fee customarily charged in the locality for similar legal services;
- (5) the amount involved and the results obtained;
- (6) the time limitations imposed by the client or by the circumstances;
- (7) the nature and length of the professional relationship with the client; and
- (8) the experience, reputation, and ability of the lawyer or lawyers performing the services.

(b) When the lawyer has not regularly represented the client, the basis or rate of the fee shall be communicated to the client, in writing, before or within a reasonable time after commencing the representation.

(c) A fee may be contingent on the outcome of the matter for which the service is rendered, except in a matter in which a contingent fee is prohibited by paragraph (d) or other law. A contingent fee agreement shall be in writing and shall state the method by which the fee is to be determined, including the percentage or percentages that shall accrue to the lawyer in the event of settlement, trial or appeal, litigation and other expenses to be deducted from the recovery, and whether such expenses are to be deducted before or after the contingent fee is calculated. Upon conclusion of a contingent fee matter, the lawyer shall provide the client with a written statement stating the outcome of the matter and, if there is a recovery, showing the remittance to the client and the method of its determination.

(d) A lawyer shall not enter into an arrangement for, charge, or collect:

(1) any fee in a domestic relations matter, the payment or amount of which is contingent upon the securing of a divorce or upon the amount of alimony or support; or

(2) a contingent fee for representing a defendant in a criminal case.

(e) A lawyer shall not divide a fee for legal services with another lawyer who is not in the same firm unless:

(1) the client is advised of and does not object to the participation of all the lawyers involved; and

(2) the total fee of the lawyers is not illegal or clearly excessive for all legal services they rendered the client.

Comment:

* * * * *

Division of Fee

(4) A division of fee is a single billing to a client covering the fee of two or more lawyers who are not in the same firm. A division of fee facilitates association of more than one lawyer in a matter in which neither alone could serve the client as well, and most often is used when the fee is contingent and the division is between a referring lawyer and a trial specialist. Paragraph (e) permits the lawyers to divide a fee if the total fee is not illegal or excessive and the client is advised and does not object. It does not require disclosure to the client of the share that each lawyer is to receive. **For additional information, see ABA Formal Opinion 487—Fee Division with Client’s Prior Counsel (June 18, 2019).**

* * * * *

[Pa.B. Doc. No. 19-1802. Filed for public inspection December 6, 2019, 9:00 a.m.]

**Title 204—JUDICIAL SYSTEM
GENERAL PROVISIONS**

PART V. PROFESSIONAL ETHICS AND CONDUCT

[204 PA. CODE CH. 83]

Amendment of Rules 219(d)(2), (f), (h)(2), (j)(1) and (2), and (k) of the Pennsylvania Rules of Disciplinary Enforcement; No. 190 Disciplinary Rules Doc.

Order

Per Curiam

And Now, this 18th day of November, 2019, upon the recommendation of the Disciplinary Board of the Supreme Court of Pennsylvania; 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 Rules 219(d)(2), (f), (h)(2), (j)(1) and (2), and (k) of the Pennsylvania Rules of Disciplinary Enforcement are amended in the following form.

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

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter B. MISCONDUCT

Rule 219. Annual registration of attorneys.

* * * * *

(d) On or before July 1 of each year, all attorneys required by this rule to pay an annual fee shall electronically file with the Attorney Registration Office an elec-

tronically endorsed form prescribed by the Attorney Registration Office in accordance with the following procedures:

* * * * *

(2) Payment of the annual fee shall be made in one of two ways: a) electronically by credit or debit card at the time of electronic transmission of the form through the online system of the Attorney Registration Office, which payment shall include a nominal fee to process the electronic payment; or b) by check or money order drawn on a U.S. bank, in U.S. dollars using a printable, mail-in voucher. IOLTA, trust, escrow and other fiduciary account checks tendered in payment of the annual fee will not be accepted. If the annual fee form, voucher or payment is incomplete or if a [**check in**] payment of the annual fee has been returned to the Board unpaid, the annual fee shall not be deemed to have been paid until a collection fee, and one or both of the late payment penalties prescribed in subdivision (f) of this rule if assessed, shall also have been paid. The amount of the collection fee shall be established by the Board annually after giving due regard to the direct and indirect costs incurred by the Board during the preceding year for [**checks**] **payment** returned to the Board unpaid.

* * * * *

(f) Any attorney who fails to complete registration by July 16 shall be automatically assessed a non-waivable late payment penalty established by the Board. A second, non-waivable late payment penalty established by the Board shall be automatically added to the delinquent account of any attorney who has failed to complete registration by August 1, at which time the continued failure to comply with this rule shall be deemed a request to be administratively suspended. Thereafter, the Attorney Registration Office shall certify to the Supreme Court the name of every attorney who has failed to comply with the registration and payment requirements of this rule, and the Supreme Court shall enter an order administratively suspending the attorney. The Chief Justice may delegate the processing and entry of orders under this subdivision to the Court Prothonotary. Upon entry of an order of administrative suspension, the Attorney Registration Office shall transmit by certified mail, addressed to the last known mailing address of the attorney, or by electronic means, the order of administrative suspension and a notice that the attorney shall comply with Enforcement Rule 217 (relating to formerly admitted attorneys), a copy of which shall be included with the notice.

For purposes of assessing the late payment penalties prescribed by this subdivision (f), registration shall not be deemed to be complete until the Attorney Registration Office receives a completed annual fee form and satisfactory payment of the annual fee and of all outstanding collection fees and late payment penalties. If [**a check in**] payment of the delinquency has been returned to the Board unpaid, a collection fee, as established by the Board under subdivision (d)(2) of this rule, shall be added to the attorney’s delinquent account and registration shall not be deemed to be complete until the delinquent account has been paid in full.

The amount of the late payment penalties shall be established by the Board annually pursuant to the provisions of subdivision (h)(3) of this rule.

(g) The Attorney Registration Office shall provide to the Board a copy of any certification filed by the Attorney Registration Office with the Supreme Court pursuant to the provisions of this rule.

(h) An attorney who has been administratively suspended pursuant to subdivision (f) for three years or less is not eligible to file the annual fee form electronically. The procedure for reinstatement is as follows:

* * * * *

(2) Upon receipt of the annual fee form, a verified statement showing compliance with Enforcement Rule 217 (relating to formerly admitted attorneys), and the payments required by paragraph (1), the Attorney Registration Office shall so certify to the Board and to the Supreme Court. Unless the formerly admitted attorney is subject to another outstanding order of suspension or disbarment or the order has been in effect for more than three years, the filing of the certification from the Attorney Registration Office with the Court Prothonotary shall operate as an order reinstating the person to active status.

Where [a check in] payment of the fees and late payment penalties has been returned to the Board unpaid, the Attorney Registration Office shall immediately return the attorney to administrative suspension, and the arrears shall not be deemed to have been paid until a collection fee, as established by the Board under subdivision (d)(2) of this rule, shall also have been paid.

* * * * *

(j) *Inactive Status:* An attorney who is not engaged in practice in Pennsylvania, has sold his or her practice pursuant to Rule 1.17 of the Pennsylvania Rules of Professional Conduct, or is not required by virtue of his or her practice elsewhere to maintain active licensure in the Commonwealth may request inactive status or continue that status once assumed. The attorney shall be removed from the roll of those classified as active until and unless such inactive attorney makes a request under paragraph (2) of this subdivision (j) for an administrative return to active status and satisfies all conditions precedent to the grant of such request; or files a petition for reinstatement under subdivision (d) of Enforcement Rule 218 (relating to procedure for reinstatement of an attorney who has been on inactive status for more than three years, or who is on inactive status and had not been on active status at any time within the prior three years) and is granted reinstatement pursuant to the provisions of that Enforcement Rule.

(1) An inactive attorney under this subdivision (j) shall continue to file the annual form required by subdivision (d), shall file the form through the online system identified in subdivision (a), and shall pay an annual fee of \$100.00 in the manner provided in subdivision (d)(2). Noncompliance with this provision will result in the inactive attorney incurring late payment penalties, incurring a collection fee for any [check in] payment that has been returned to the Board unpaid, and being placed on administrative suspension pursuant to and in accordance with the provisions of subdivision (f) of this rule.

(2) *Administrative Change in Status from Inactive Status to Active Status:* An attorney on inactive status may request a resumption of active status form from the Attorney Registration Office. The form must be filed by mail or delivered in person to the Attorney Registration Office. Resumption of active status shall be granted unless the inactive attorney is subject to an outstanding order of suspension or disbarment, unless the inactive attorney has sold his or her practice pursuant to Rule 1.17 of the Pennsylvania Rules of Professional Conduct (see Enforcement Rule 218(h)), unless the inactive status has been in effect for more than three years, or unless the

inactive attorney had not been on active status at any time within the preceding three years (see Enforcement Rule 218(h)), upon the payment of:

(i) the active fee for the assessment year in which the application for resumption of active status is made or the difference between the active fee and the inactive fee that has been paid for that year; and

(ii) any collection fee or late payment penalty that may have been assessed pursuant to subdivision (f), prior to the inactive attorney's request for resumption of active status.

Where [a check in] payment of fees and penalties has been returned to the Board unpaid, the Attorney Registration Office shall immediately return the attorney to inactive status, and the arrears shall not be deemed to have been paid until a collection fee, as established by the Board under subdivision (d)(2), shall also have been paid.

Official Note: Subdivisions (h), (i) and (j) of this rule do not apply if, on the date of the filing of the request for reinstatement, the formerly admitted attorney has not been on active status at any time within the preceding three years. See Enforcement Rule 218(h)(1).

(k) *Administrative Change in Status From Administrative Suspension to Inactive Status:* An inactive attorney who has been administratively suspended for failure to file the annual form and pay the annual fee required by subdivision (j)(1) of this rule, may request an administrative change in status form from the Attorney Registration Office. The form must be filed by mail or delivered in person to the Attorney Registration Office and said Office shall change the status of an attorney eligible for inactive status under this subdivision upon receipt of:

* * * * *

Where [a check in] payment of the fees and penalties has been returned to the Board unpaid, the Attorney Registration Office shall immediately return the attorney to administrative suspension, and the arrears shall not be deemed to have been paid until a collection fee, as established by the Board under subdivision (d)(2), shall also have been paid.

* * * * *

[Pa.B. Doc. No. 19-1803. Filed for public inspection December 6, 2019, 9:00 a.m.]

**Title 204—JUDICIAL SYSTEM
GENERAL PROVISIONS**

**PART V. PROFESSIONAL ETHICS AND CONDUCT
[204 PA. CODE CH. 83]**

Proposed Amendments to the Pennsylvania Rules of Disciplinary Enforcement Regarding Filing Fees and Penalties in Reinstatement Matters

Notice is hereby given that the Disciplinary Board of the Supreme Court of Pennsylvania (“Board”) plans to recommend to the Supreme Court of Pennsylvania that it adopt amendments to Rule 218 of the Pennsylvania Rules of Disciplinary Enforcement (“Pa.R.D.E.”) relating to the Board’s ability to charge filing fees and assess penalties on unpaid taxed expenses in reinstatement matters, as set forth in Annex A.

Rule 218 governs reinstatement to the practice of law and sets forth the procedures for an attorney to regain an active license. Certain classes of attorneys must file a petition in order to be reinstated by the Supreme Court. Rule 218(f)(1) requires an attorney who files a petition for reinstatement to pay simultaneously a non-refundable filing fee. The rule includes a schedule of fees for petitioners who are disbarred or suspended for more than one year (\$1,000); administratively suspended for more than three years (\$500); and inactive or retired for more than three years (\$250). The basis for imposing a filing fee is to offset the administrative expenses incurred by the Board in processing reinstatement petitions.

Pursuant to Rule 301(h), Pa.R.D.E., an attorney who has been transferred to disability inactive status must petition for reinstatement under Rule 218; however, the fee schedule in Rule 218(f)(1) does not require these attorneys to pay a filing fee. The Board proposes amending the fee schedule set forth in Rule 218(f)(1) to impose a non-refundable filing fee on an attorney who petitions for reinstatement from inactive status that was imposed under Rule 301. The Board proposes a fee of \$250, in keeping with the filing fee paid by attorneys who petition for reinstatement from inactive or retired status for more than three years and as a matter of equity in maintaining uniform filing requirements for petitioners.

Pursuant to Rule 218(g)(1), an attorney who has been suspended for one year or less is not required to file a petition for reinstatement and instead, must file with the Board a verified statement demonstrating compliance with the terms and conditions of the suspension order and Rule 217, Pa.R.D.E. (related to formerly admitted attorneys).

The Board proposes amending Rule 218(g)(1) to require that an attorney seeking reinstatement from a suspension of one year or less pay a non-refundable filing fee of \$250 at the time of the filing of the compliance statement. Similar to the rationale for imposing a filing fee on attorneys who petition for reinstatement, requiring attorneys who file a compliance statement to pay a non-refundable filing fee will counteract administrative burdens associated with reviewing the statements.

Pursuant to Rule 218(f)(2), the Supreme Court has the discretion to direct that a petitioner in a reinstatement matter pay expenses incurred in the reinstatement proceeding. Disciplinary Board Rule § 93.111 provides that these expenses may include items such as court reporter fees and transcripts, fees and expenses of expert and other witnesses, service of pleadings and briefs, and publication notices. The Board proposes amending Rule 218(f) to add new subparagraph (3) to allow the Board to assess penalties on petitioner-attorneys who fail to timely pay the taxed expenses.

The Board's proposed amendment provides that failure to pay taxed expenses within 30 days of the Supreme Court Order shall result in the assessment of a penalty, levied monthly, at a rate of 0.8% of the unpaid principal balance, or such other rate as the Court may establish. The Board retains discretion to reduce the penalty or waive it in its entirety for good cause shown. This proposal is intended to incentivize prompt payment of the taxed expenses. We note that currently, the Board has authority under Rule 208(g)(5) to assess penalties on unpaid taxed expenses and administrative fees in discipline matters. With the proposed rule change, the Board seeks authority from the Court to assess similar penalties in reinstatement matters.

Interested persons are invited to submit written comments by mail or facsimile regarding the proposed amendments to the Executive Office, The Disciplinary Board of the Supreme Court of Pennsylvania, 601 Commonwealth Avenue, Suite 5600, PO Box 62625, Harrisburg, PA 17106-2625, Facsimile number (717-231-3381), Email address Dboard.comments@pacourts.us on or before January 6, 2020.

By the Disciplinary Board of the Supreme Court of Pennsylvania

JESSE G. HEREDA,
Executive Director

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter B. MISCONDUCT

Rule 218. Reinstatement.

* * * * *

(f)(1) At the time of the filing of a petition for reinstatement with the Board, a non-refundable reinstatement filing fee shall be assessed against a petitioner-attorney. The filing fee schedule is as follows:

Reinstatement from disbarment or suspension for more than one year:.....	\$1,000
Reinstatement from administrative suspension (more than three years):.....	\$500
Reinstatement from inactive/retired status (more than three years):.....	\$250

Reinstatement from inactive status pursuant to Enforcement Rule 301:..... \$250

(2) The Supreme Court in its discretion may direct that the necessary expenses incurred in the investigation and processing of the petition for reinstatement be paid by the petitioner-attorney. After the Supreme Court Order is entered, the annual fee required by Rule 219(a) for the current year shall be paid to the Attorney Registration Office.

(3) Failure to pay taxed expenses within thirty days of the entry of the Supreme Court Order shall result in the assessment of a penalty, levied monthly at the rate of 0.8% of the unpaid principal balance, or such other rate as established by the Supreme Court, from time to time. The Board for good cause shown, may reduce the penalty or waive it in its entirety.

(g)(1) Upon the expiration of any term of suspension not exceeding one year and upon the filing thereafter by the formerly admitted attorney with the Board of a verified statement showing compliance with all the terms and conditions of the order of suspension and of Enforcement Rule 217 (relating to formerly admitted attorneys), **along with the payment of a non-refundable filing fee of \$250**, the Board shall certify such fact to the Supreme Court, which shall immediately enter an order reinstating the formerly admitted attorney to active status, unless such person is subject to another outstanding order of suspension or disbarment.

* * * * *

[Pa.B. Doc. No. 19-1804. Filed for public inspection December 6, 2019, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1920]

Proposed Amendment of Pa.R.C.P. No. 1920.17

The Domestic Relations Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania an amendment to Pa.R.C.P. No. 1920.17 for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. No 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

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

Bruce J. Ferguson, Counsel
Domestic Relations Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
Fax: 717-231-9531
domesticrules@pacourts.us

All communications in reference to the proposal should be received by February 7, 2020. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Domestic Relations
Procedural Rules Committee*

WALTER J. McHUGH, Esq.,
Chair

Annex A

Title 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1920. ACTIONS OF DIVORCE OR FOR ANNULMENT OF MARRIAGE

Rule 1920.17. [**Discontinuance. Withdrawal of Complaint.] Withdrawing Complaint and Discontinuing Divorce. Withdrawing Claims Raised in Pleadings.**

[**(a) The plaintiff may withdraw the divorce complaint and discontinue the divorce action by praecipe that includes a certification that:**

(1) no ancillary claims or counterclaims have been asserted by either party; and

(2) grounds for divorce have not been established.

(b) A party may withdraw a claim of equitable distribution only:

(1) by written consent of both parties filed with the court, or

(2) after filing and serving on the other party a written notice that the party intends to withdraw the claim of equitable distribution 20 days after service of the notice.]

(a) The plaintiff may withdraw the divorce complaint and discontinue the divorce action by:

(1) a praecipe, which includes a certification that the parties have not:

(i) raised equitable division of marital property or custody as an ancillary claim;

(ii) filed a counterclaim; or

(iii) established grounds for divorce; or

(2) a motion, which has been served on the defendant, if the parties have:

(i) raised equitable division of marital property or custody as an ancillary claim;

(ii) filed a counterclaim; or

(iii) established grounds for divorce.

(b) A party raising an ancillary claim may withdraw the claim by a praecipe, except that:

(1) a party raising an equitable division of marital property claim may withdraw the claim only:

(i) with the parties' written and filed agreement, including as required by Pa.R.C.P. No. 1920.42(a)(4), (b)(4), or (c)(4);

(ii) the opposing party's written consent; or

(iii) after filing and serving on the opposing party a notice that the party intends to withdraw the equitable division claim 20 days after service of the notice.

Official Note: See subdivision (c) for the notice.

(2) a party raising a custody count in a divorce action may withdraw the custody claim as provided in Pa.R.C.P. No. 1915.3-1(b).

(c) The notice required in subdivision [**b above] **(b)(1)(iii)** shall be substantially in the following form:**

(Caption)

NOTICE OF INTENTION TO WITHDRAW CLAIM FOR
EQUITABLE [**DISTRIBUTION**] **DIVISION OF**
MARITAL PROPERTY

TO: _____
(PLAINTIFF) (DEFENDANT)

(Plaintiff) (Defendant) intends to withdraw [**(his) (her)] the pending claim for equitable [**distribution of property twenty**] **division of marital property 20** days after the service of this notice. Unless you have already filed [**with the court a written claim for equitable distribution**] **ancillary claims, which are permitted under the Divorce Code, including equitable division of marital property**, you should do so within [**twenty**] **20** days of the service of this notice, or you may lose the right to assert [**a claim for equitable distribution. If**] **those ancillary claims, if the court enters** a decree in divorce [**is entered and you have****

not filed a claim for equitable distribution, you will forever lose the right to equitable distribution of property].

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

(Name)

(Address)

(Telephone)

(d) ***Death of a Party.*** [In the event one party dies during the course of the divorce proceeding, no decree of divorce has been entered and grounds for divorce have been established, neither the complaint nor economic claims can be withdrawn except by the consent of the surviving spouse and the personal representative of the decedent. If there is no agreement, the economic claims shall be determined pursuant to the Divorce Code.]

(1) If a party dies after the parties have established grounds for divorce but before the court has entered the divorce decree:

(i) The surviving spouse or the decedent's personal representative cannot withdraw the complaint or an ancillary claim absent the parties' written consent.

(ii) The Divorce Code shall determine the disposition of the ancillary claims unless:

(A) the parties have an agreement that resolves the ancillary claims raised in the pleadings; or

(B) the parties have withdrawn the complaint or ancillary claims as provided in subdivision (d)(1)(i).

Official Note: See 23 Pa.C.S. § 3323(g) for establishing grounds for divorce when a party dies during the pendency of the divorce action.

(iii) If [no] a personal representative has not been appointed within one year of the decedent's death, [then,] upon motion of the surviving party, the court may allow the withdrawal or dismissal of the complaint [and/or any] or the pending [economic] ancillary claims.

(2) If a party dies before the parties have established grounds for divorce, the divorce action shall abate, and the Probate, Estates, and Fiduciary Code, 20 Pa.C.S. §§ 101 et seq, shall determine the property rights.

Official Note: See In re Estate of Bullotta, 838 A.2d 594 (Pa. 2003).

To the extent that *Tosi v. Kizis*, 85 A.3d 585 (Pa. Super. 2014) holds that 23 Pa.C.S. § 3323(d.1) does not prevent the plaintiff in a divorce action from discontinuing the

divorce action following the death of the defendant after grounds for divorce have been established, it is superseded.

Comment—2020

The rule has been revised to include in subdivision (b)(1) that the party may withdraw an equitable division claim by praecipe if the parties have a written agreement, the opposing party otherwise consents in writing, or after filing and serving the subdivision (c) notice on the opposing party. The Notice warns the opposing party that the moving party intends to withdraw the equitable division claim 20 days after service of the Notice and informs the opposing party to file ancillary claims, including equitable division, prior to the entry of a divorce decree in order to preserve his or her rights.

Also, as a child custody claim is permitted in a divorce complaint under the Divorce Code, subdivision (b)(2) is added to address withdrawing a custody claim. Pa.R.C.P. No. 1920.32 requires a custody claim raised in a divorce action to following the custody practices and procedures, and Pa.R.C.P. No. 1915.3-1(b) provides specific limitations on withdrawing a custody action. As such, subdivision (b)(2) has been added to clarify that a party desiring to withdraw a custody claim raised in a divorce pleading must do so consistent with Pa.R.C.P. No. 1915.3-1(b).

Subdivision (d) has been rewritten to include the current subdivision into (d)(1) and adding (d)(2). In subdivision (d)(1), if a party in a divorce action dies prior to the court entering a decree but after the parties had established grounds for divorce, the Divorce Code would dispose of the ancillary claims raised in the pleadings. Subdivision (d)(2) addresses how a divorce action would proceed if a party dies prior to establishing grounds for divorce as set forth in case law, *In re Estate of Bullotta*, 838 A.2d 594 (Pa. 2003).

PUBLICATION REPORT

RULE PROPOSAL 177

The Domestic Relations Procedural Rules Committee (Committee) is proposing an amendment to Pa.R.C.P. No. 1920.17. Specifically, the proposed amendment will delineate the practice of withdrawing divorce complaints and claims raised in divorce pleadings.

Currently, Pa.R.C.P. No. 1920.17(a) provides procedures for withdrawing and discontinuing a divorce complaint and action by praecipe if the parties have not raised ancillary claims or counterclaims and grounds for divorce have not been established. Pa.R.C.P. No. 1920.17(b) addresses how a party may withdraw a claim for equitable distribution of marital property. Subdivision (b) indicates that the claim can be withdrawn with the consent of the parties or by filing and serving on the opposing party the notice in subdivision (c).

The point of inquiry was whether the rules should include a procedure for withdrawing a divorce complaint when the parties have raised claims or counterclaims. The current rule does not address this circumstance, which could be interpreted to mean that those actions with claims or counterclaims cannot be withdrawn and discontinued, which may be inconsistent with Pa.R.C.P. No. 229(a) that provides, “[a] discontinuance shall be the

exclusive method of voluntary termination of an action, in whole or part, by the plaintiff before commencement of trial.”

The proposed amendment rewrites subdivision (a), detailing the circumstances in which a plaintiff may withdraw and discontinue a divorce complaint and action by praecipe in subdivision (a)(1). The Committee proposes adding subdivision (a)(2) that details procedures for withdrawing and discontinuing a complaint and action by motion, including the circumstance that initiated the Committee’s interest in this Rule Proposal.

In conjunction with the rewriting of subdivision (a), the Committee is proposing a rewrite of subdivision (b), as well, that currently addresses only withdrawing a claim for equitable division of marital property. The current subdivision (b) allows a party to withdraw the equitable division claim by consent of the parties or by serving the subdivision (c) notice on the opposing party. However, the current subdivision does not identify the pleading necessary to initiate the withdrawal.

Instead, the Committee proposes in subdivision (b)(1) that the withdrawing party may do so by praecipe if the parties have a written agreement, the opposing party otherwise consents in writing, or after filing and serving the subdivision (c) notice on the opposing party. The Notice warns the opposing party that the moving party intends to withdraw the equitable division claim 20 days after service of the Notice and warns the opposing party to file ancillary claims, including equitable division, prior to the entry of a divorce decree in order to preserve his or her rights.

Also, as a child custody claim is permitted in a divorce complaint under the Divorce Code, the Committee believed withdrawing a custody count should be included in this rule, especially since Pa.R.C.P. No. 1915.3-1(b) limits withdrawing a custody action and Pa.R.C.P. No. 1920.32 requires a custody claim raised in a divorce action to following the custody practices and procedures. As such, the Committee proposes adding subdivision (b)(2) to clarify that a party desiring to withdraw a custody claim raised in a divorce pleading must do so consistent with Pa.R.C.P. No. 1915.3-1(b).

Finally, the Committee proposes an amendment to subdivision (d), which addresses the death of a party in a pending divorce action. The proposed amendment rewrites the current subdivision (d) into subdivision (d)(1) and into a more detailed outline format. The current rule provides that if a party in a divorce action dies prior to the court entering a decree but after the parties had established grounds for divorce, the Divorce Code would dispose of the ancillary claims raised in the pleadings. However, the rule is silent on how a divorce action would proceed if a party dies prior to establishing grounds for divorce. The Committee proposes adding subdivision (d)(2) to address that circumstance as set forth in case law, *In re Estate of Bullotta*, 838 A.2d 594 (Pa. 2003).

Accordingly, the Committee invites all comments, objections, concerns, and suggestions regarding this proposed rulemaking.

[Pa.B. Doc. No. 19-1805. Filed for public inspection December 6, 2019, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 4]

Proposed Amendment of Pa.R.Crim.P. 431

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Rule 431 (Procedure When Defendant Arrested with Warrant) for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

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

Jeffrey M. Wasileski, Counsel
Supreme Court of Pennsylvania
Criminal Procedural Rules Committee
601 Commonwealth Avenue, Suite 6200
Harrisburg, PA 17106-2635
fax: (717) 231-9521
e-mail: criminalrules@pacourts.us

All communications in reference to the proposal should be received by no later than Friday, February 14, 2020. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Criminal Procedural
Rules Committee*

BRIAN W. PERRY,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 4. PROCEDURES IN SUMMARY CASES PART D. Arrest Procedures in Summary Cases

PART D(1). Arrests With a Warrant

Rule 431. Procedure When Defendant Arrested With Warrant.

(A) When a warrant is issued pursuant to Rule 430 in a summary case, the warrant shall be executed by a police officer as defined in Rule 103.

(1) If the warrant is executed between the hours of 6 a.m. and 10 p.m., the police officer shall proceed as provided in paragraphs (B) or (C).

(2) If the warrant is executed outside the hours of 6 a.m. and 10 p.m., unless the time period is extended by the president judge by local rule enacted pursuant to Rule 105, the police officer shall call the proper issuing authority to determine when the issuing authority will be available pursuant to Rule 117.

(B) *Arrest Warrants Initiating Proceedings*

(1) When an arrest warrant is executed, the police officer shall either:

(a) accept from the defendant a signed guilty plea and the full amount of the fine and costs if stated on the warrant;

(b) accept from the defendant a signed not guilty plea and the full amount of collateral if stated on the warrant; or

(c) if the defendant is unable to pay, cause the defendant to be taken without unnecessary delay before the proper issuing authority.

(2) When the police officer accepts fine and costs, or collateral under paragraphs (B)(1)(a) or (b), the officer shall issue a receipt to the defendant setting forth the amount of fine and costs, or collateral received and return a copy of the receipt, signed by the defendant and the police officer, to the proper issuing authority.

(3) When the defendant is taken before the issuing authority under paragraph (B)(1)(c),

(a) the defendant shall enter a plea; and

(b) if the defendant pleads guilty, the issuing authority shall impose sentence. If the defendant pleads not guilty, the defendant shall be given an immediate trial unless:

(i) the Commonwealth is not ready to proceed, or the defendant requests a postponement or is not capable of proceeding, and in any of these circumstances, the issuing authority shall release the defendant on recognizance unless the issuing authority has reasonable grounds to believe that the defendant will not appear, in which case, the issuing authority may fix the amount of collateral to be deposited to ensure the defendant's appearance on the new date and hour fixed for trial; or

(ii) the defendant's criminal record must be ascertained prior to trial as specifically required by statute for purposes of grading the offense charged, in which event the issuing authority shall release the defendant on recognizance unless the issuing authority has reasonable grounds to believe that the defendant will not appear, in which case, the issuing authority may fix the amount of collateral to be deposited to ensure the defendant's appearance on the new date and hour fixed for trial, which shall be after the issuing authority's receipt of the required information.

(iii) In determining whether it is necessary to set collateral and what amount of collateral should be set, the issuing authority shall consider the factors listed in Rule 523. The amount of collateral shall not exceed the full amount of the fine and costs.

(iv) If collateral has been set, the issuing authority shall state in writing the reason(s) why any collateral other than release on recognizance has been set and the facts that support a determination that the defendant has the ability to pay monetary collateral.

(v) If collateral is set and the defendant does not post collateral, the defendant shall not be detained without a trial longer than 72 hours or the close of the next business day if the 72 hours expires on a non-business day.

(c) If the defendant is under 18 years of age and cannot be given an immediate trial, the issuing authority promptly shall notify the defendant and defendant's par-

ents, guardian, or other custodian of the date set for the summary trial, and shall release the defendant on his or her own recognizance.

(C) *Bench Warrants*

(1) When a bench warrant is executed, the police officer shall either:

(a) accept from the defendant a signed guilty plea and the full amount of the fine and costs if stated on the warrant;

(b) accept from the defendant a signed not guilty plea and the full amount of collateral if stated on the warrant;

(c) accept from the defendant the amount of restitution, fine, and costs due as specified in the warrant if the warrant is for collection of restitution, fine, and costs after a guilty plea or conviction; [or]

(d) if the defendant is unable to pay, promptly take the defendant for a hearing on the bench warrant as provided in paragraph (C)(3) [.]; or

(e) if the warrant was issued for a defendant who had failed to appear for execution of sentence as provided in Rules 430(B)(1)(b) and 454(F)(3), promptly take the defendant for a hearing on the bench warrant as provided in paragraph (C)(4).

(2) When the defendant pays the restitution, fine, and costs, or collateral pursuant to paragraph (C)(1), the police officer shall issue a receipt to the defendant setting forth the amount of restitution, fine, and costs received and return a copy of the receipt, signed by the defendant and the police officer, to the proper issuing authority.

(3) When the defendant does not pay the restitution, fine, and costs, or collateral, the defendant promptly shall be taken before the proper issuing authority when available pursuant to Rule 117 for a bench warrant hearing. The bench warrant hearing may be conducted using two-way simultaneous audio-visual communication.

(4) When the defendant has been arrested for failure to appear for execution of sentence as provided in Rules 430(B)(1)(b) and 454(F)(3), the defendant promptly shall be taken before the issuing authority who issued the bench warrant for a bench warrant hearing. The bench warrant hearing may be conducted using two-way simultaneous audio-visual communication.

Comment

For the procedure in court cases following arrest with a warrant initiating proceedings, see Rules 516, 517, and 518. See also the Comment to Rule 706 (Fines or Costs) that recognizes the authority of a common pleas court judge to issue a bench warrant for the collection of fines and costs and provides for the execution of the bench warrant as provided in either paragraphs (C)(1)(c) or (C)(1)(d) and (C)(2) of this rule.

Section 8953 of the Judicial Code, 42 Pa.C.S. § 8953, provides for the execution of warrants of arrest beyond the territorial limits of the police officer's primary jurisdiction. See also *Commonwealth v. Mason*, 490 A.2d 421 (Pa. 1985).

Nothing in paragraph (A) is intended to preclude the issuing authority when issuing a warrant pursuant to Rule 430 from authorizing in writing on the warrant that the police officer may execute the warrant at any time and bring the defendant before that issuing authority for a hearing under these rules.

For what constitutes a “proper” issuing authority, see Rule 130.

Delay of trial under paragraph (B)(3)(b)(ii) is required by statutes such as 18 Pa.C.S. § 3929 (pretrial fingerprinting and record-ascertainment requirements).

Although the defendant’s trial may be delayed under this rule, the requirement that an arrested defendant be taken without unnecessary delay before the proper issuing authority remains unaffected.

When the police must detain a defendant pursuant to this rule, 61 P.S. § 1154 provides that the defendant may be housed for a period not to exceed 48 hours in “the borough and township lockups and county correctional institutions.”

In cases in which a defendant who is under 18 years of age has failed to “comply with a lawful sentence” imposed by the issuing authority, the Juvenile Act requires the issuing authority to certify notice of the failure to comply to the court of common pleas. See the definition of “delinquent act,” paragraph (2)(iv), in 42 Pa.C.S. § 6302. Following the certification, the case is to proceed pursuant to the Rules of Juvenile Court Procedure and the Juvenile Act instead of these rules.

If the defendant is 18 years of age or older when the default in payment occurs, the issuing authority must proceed under these rules.

For the procedures required before a bench warrant may issue for a defendant’s failure to pay restitution, a fine, or costs, see Rule 430(B)(4). When contempt proceedings are also involved, see Chapter 1 Part D for the issuance of arrest warrants.

For the procedures when a bench warrant is issued in court cases, see Rule 150.

Concerning an issuing authority’s availability, see Rule 117 (Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail). Pursuant to Rule 117(B), when establishing the system of coverage best suited for the judicial district, the president judge may require defendants arrested on summary case bench warrants after hours to be taken to the established night court where the defendant would be given a notice to appear in the proper issuing authority’s office the next business day or be permitted to pay the full amount of fines and costs.

Concerning the appearance or waiver of counsel, see Rules 121 and 122.

For the procedures in summary cases within the jurisdiction of the Philadelphia Municipal Court and the Philadelphia Municipal Court Traffic Division, see Chapter 10.

Official Note: Rule 76 adopted July 12, 1985, effective January 1, 1986; Comment revised September 23, 1985, effective January 1, 1986; January 1, 1986 effective dates extended to July 1, 1986; Comment revised January 31, 1991, effective July 1, 1991; amended August 9, 1994, effective January 1, 1995; amended October 1, 1997, effective October 1, 1998; amended July 2, 1999, effective August 1, 1999; renumbered Rule 431 and amended March 1, 2000, effective April 1, 2001; amended August 7, 2003, effective July 1, 2004; Comment revised April 1, 2005, effective October 1, 2005; amended June 30, 2005, effective August 1, 2006; Comment revised March 9, 2006, effective August 1, 2006; Comment revised May 7, 2014, effective immediately; amended April 10, 2015, effective July 10, 2015; **amended** , 2019, effective , 2019.

Committee Explanatory Reports:

Report explaining the January 31, 1991 revision published at 20 Pa.B. 4788 (September 15, 1990); Supplemental Report published at 21 Pa.B. 621 (February 16, 1991).

Final Report explaining the August 9, 1994 amendments published with the Court’s Order at 24 Pa.B. 4342 (August 27, 1994).

Final Report explaining the October 1, 1997 amendments published with the Court’s Order at 27 Pa.B. 5414 (October 18, 1997).

Final Report explaining the July 2, 1999 amendments to paragraphs (B)(3) and (C) concerning restitution published with the Court’s Order at 29 Pa.B. 3718 (July 17, 1999).

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court’s Order at 30 Pa.B. 1478 (March 18, 2000).

Final Report explaining the August 7, 2003 changes to paragraph (D) and Comment concerning defendants under the age of 18 published with the Court’s Order at 33 Pa.B. 4293 (August 30, 2003).

Final Report explaining the April 1, 2005 Comment revision concerning application of the Juvenile Court Procedural Rules published with the Court’s Order at 35 Pa.B. 2213 (April 16, 2005).

Final Report explaining the June 30, 2005 changes distinguishing between procedures for warrants that initiate proceedings and bench warrants procedures in summary cases published with the Court’s Order at 35 Pa.B. 3911 (July 16, 2005).

Final Report explaining the March 9, 2006 Comment revision adding the cross-reference to Rule 706 published with the Court’s Order at 36 Pa.B. 1396 (March 25, 2006).

Final Report explaining the May 7, 2014 Comment revision changing the cross-reference to the Philadelphia Traffic Court to the Traffic Division of the Philadelphia Municipal Court published with the Court’s Order at 44 Pa.B. 3065 (May 24, 2014).

Final Report explaining the April 10, 2015 amendment concerning the setting of collateral pending summary trial published with the Court’s Order at 45 Pa.B. 2045 (April 25, 2015).

Report explaining the proposed amendment concerning bench warrant hearing for defendants who have failed to appear for execution of sentence published for comment at 49 Pa.B. 7172 (December 7, 2019).

REPORT

Proposed Amendment of Pa.R.Crim.P. 431

EXECUTION OF BENCH WARRANTS ISSUED FOR EXECUTION OF SENTENCE IN SUMMARY CASES

The Committee has recently been presented with the question regarding whether a bench warrant hearing is required when a defendant is arrested pursuant to a bench warrant issued for a defendant who has failed to appear for execution of sentence of incarceration in a summary case. Rule 430(B) provides the authority for the issuance of bench warrants in summary cases. Paragraph (B)(1)(b) permits the issuance of a bench warrant when “. . . the defendant has failed to appear for the execution

of sentence as required in Rule 454(F)(3). Rule 454(F)(3) states that at the time of sentencing, the issuing authority shall:

(3) if a sentence of imprisonment has been imposed, direct the defendant to appear for the execution of sentence on a date certain unless the defendant files a notice of appeal within the 30-day period, and advise that, if the defendant fails to appear on that date, a warrant for the defendant's arrest will be issued. . .

Rule 431(C) provides procedures for the execution of a summary bench warrant. However, most of these relate to the situation in which the defendant only owes case fines and costs and includes provision for the payment of these assessments to the arresting officer. The rule does not address the situation where the defendant is being arrested for failure to appear for execution of sentence.

The Committee has learned that the practice in some counties has been that a defendant in such circumstances is taken directly to the prison to begin sentencing without first being presented to the issuing authority for a bench warrant hearing. The argument in favor of not having bench warrant hearings in these circumstances is that there is nothing for the issuing authority to determine at such a hearing because the defendant has already been sentenced. In other words, what exactly would take place at such a hearing, other than perhaps allowing the defendant to explain to the issuing authority why they failed to present themselves for execution of their sentence, which would have no effect on the existing sentence.

The Committee reviewed the history of the development of these summary bench warrant provisions. The Final Report when the current version of Rule 431(C) was adopted seems to contemplate only the situation when case assessments are owed. *See* 35 Pa.B. 3911 (July 16, 2005). It would be unusual for the Committee to intend an exception to the general requirement of having bench warrant hearings and for such an exception to be mentioned specifically in the rules or Comments.

The Committee considered the potential problems of permitting the execution of a bench warrant in these circumstances without holding a bench warrant hearing. There is no danger that a defendant who had been tried and sentenced *in absentia* would be incarcerated in these circumstances without a hearing since Rule 455(A) precludes trials *in absentia* in summary cases when the issuing authority "determines that there is a likelihood that the sentence will be imprisonment. . . ." Nonetheless, there may be circumstances when taking an arrestee directly to prison is problematic. It is possible that a case of mistaken identity, identity theft, or administrative or other error could result in the incorrect person being arrested. The prison might not be in the position to correctly identify such an error whereas the issuing authority who had more familiarity with the case and more extensive case records would be in a better position.

The Committee concluded that the better practice would be to follow the normal bench warrant procedures, *i.e.* taking the defendant before the issuing authority for a bench warrant hearing, when arrested for failure to appear for execution of sentence. However, because the concerns, such as mistaken identity, in this situation would best be rectified by a magistrate familiar with the case, the rule would require that the defendant be taken before the issuing authority who originally had issued the bench warrant.

Therefore, a new paragraph (C)(1)(e) would be added to Rule 431 that specifically would require the defendant to be taken for a bench warrant hearing if arrested for failure to appear for execution of sentence. Additionally, a new paragraph (C)(4) would provide that the defendant be taken before the original issuing authority when for bench warrant hearing in these types of arrest situations.

[Pa.B. Doc. No. 19-1806. Filed for public inspection December 6, 2019, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 5]

Proposed Amendment of Pa.R.Crim.P. 573

The Criminal Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Rule 573 (Pretrial Discovery and Inspection) for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

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

Jeffrey M. Wasileski, Counsel
Supreme Court of Pennsylvania
Criminal Procedural Rules Committee
601 Commonwealth Avenue, Suite 6200
Harrisburg, PA 17106-2635
fax: (717) 231-9521
e-mail: criminalrules@pacourts.us

All communications in reference to the proposal should be received by no later than Friday, February 14, 2020. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Criminal Procedural
Rules Committee*

BRIAN W. PERRY,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

PART G. Procedures Following Filing of Information

Rule 573. Pretrial Discovery and Inspection.

(A) [**INFORMAL**] INITIATION OF DISCOVERY

Before any **motion for** disclosure or discovery can be **[sought] filed** under these rules by either party, counsel for the parties shall make a good faith effort to resolve all questions of discovery, and to provide information **and material** required or requested under these rules as to which there is no dispute. When there are items requested by one party which the other party has refused to disclose **within a reasonable time**, the demanding party may make appropriate motion. Such motion shall be made within **[14] 30** days after arraignment, unless the time for filing is extended by the court. In such motion the party must set forth the fact that a good faith effort to discuss the **[requested] information and material** has taken place and proved unsuccessful. Nothing in this provision shall delay the disclosure of any items agreed upon by the parties pending resolution of any motion for discovery.

(B) DISCLOSURE BY THE COMMONWEALTH

(1) MANDATORY:

In all court cases, **[on request by the defendant, and]** subject to any protective order which the Commonwealth might obtain under this rule, the Commonwealth shall disclose to the defendant's attorney all of the following **[requested]** items or information **[, provided they are material to the instant case]**. The Commonwealth shall, when applicable, permit the defendant's attorney to inspect and copy or photograph such items.

(a) **[Any evidence] Information** favorable to the accused **[that is material either to guilt or to punishment] including information that tends to exculpate the defendant, to mitigate the level of the defendant's culpability, to support a potential defense, or that tends to impeach a prosecution witness's credibility**, and is within the possession or control of the attorney for the Commonwealth, **regardless of the form that information takes and whether the attorney for the Commonwealth credits the information;**

(b) any written confession or inculpatory statement, or the substance of any oral confession or inculpatory statement, and the identity of the person to whom the confession or inculpatory statement was made that is in the possession or control of the attorney for the Commonwealth;

(c) the defendant's prior criminal record;

(d) the circumstances **[and],** results, **and any related documentation or notes** of any identification or attempted identification of the defendant by voice, photograph, or in-person identification, **and the circumstances, results, and any related documentation or notes of any identification or attempted identification of any other person conducted during the investigation of the instant case;**

(e) any results or reports of scientific tests, expert opinions, and written or recorded reports of polygraph examinations or other physical or mental examinations of the defendant that are within the possession or control of the attorney for the Commonwealth;

(f) any tangible objects, including documents, **law enforcement notes or reports made in response to and in investigation of the current case**, photographs, **audio, video, or other electronic recordings**, fingerprints, or other tangible **[evidence] information;** and

(g) the transcripts and recordings of any electronic surveillance, and the authority by which the said transcripts and recordings were obtained.

(2) DISCRETIONARY WITH THE COURT:

(a) In all court cases, except as otherwise provided in Rules 230 (Disclosure of Testimony Before Investigating Grand Jury) and 556.10 (Secrecy; Disclosure), if the defendant files a motion for pretrial discovery, the court may order the Commonwealth to allow the defendant's attorney to inspect and copy or photograph any of the following requested items, upon a showing that they are material to the preparation of the defense, and that the request is reasonable:

(i) the names **[and],** addresses, **and the criminal record** of eyewitnesses;

(ii) all written or recorded statements, and substantially verbatim oral statements, of eyewitnesses the Commonwealth intends to call at trial;

(iii) all written and recorded statements, and substantially verbatim oral statements, made by co-defendants, and by co-conspirators or accomplices, whether such individuals have been charged or not; and

(iv) any other **[evidence] information** specifically identified by the defendant, provided the defendant can additionally establish that its disclosure would be in the interests of justice.

(b) If an expert whom the attorney for the Commonwealth intends to call in any proceeding has not prepared a report of examination or tests, the court, upon motion, may order that the expert prepare, and that the attorney for the Commonwealth disclose, a report stating the subject matter on which the expert is expected to testify; the substance of the facts to which the expert is expected to testify; and a summary of the expert's opinions and the grounds for each opinion.

(c) Nothing in this rule is intended to limit disclosure of the foregoing information by agreement with the opposing party.

(C) DISCLOSURE BY THE DEFENDANT

(1) In all court cases, if the Commonwealth files a motion for pretrial discovery, upon a showing of materiality to the preparation of the Commonwealth's case and that the request is reasonable, the court may order the defendant, subject to the defendant's rights against compulsory self-incrimination, to allow the attorney for the Commonwealth to inspect and copy or photograph any of the following requested items:

(a) results or reports of physical or mental examinations, and of scientific tests or experiments made in connection with the particular case, or copies thereof, within the possession or control of the defendant, that the defendant intends to introduce as evidence in chief, or were prepared by a witness whom the defendant intends to call at the trial, when results or reports relate to the testimony of that witness, provided the defendant has requested and received discovery under paragraph (B)(1)(e); and

(b) the names and addresses of eyewitnesses whom the defendant intends to call in its case-in-chief, provided that the defendant has previously requested and received discovery under paragraph (B)(2)(a)(i).

(2) If an expert whom the defendant intends to call in any proceeding has not prepared a report of examination or tests, the court, upon motion, may order that the

expert prepare and the defendant disclose a report stating the subject matter on which the expert is expected to testify; the substance of the facts to which the expert is expected to testify; and a summary of the expert's opinions and the grounds for each opinion.

(D) CONTINUING DUTY TO DISCLOSE

(1) The obligations of the parties under this rule extend to material and information in the possession or control of members of the parties' staff and of any others either who regularly report to or, with reference to the current case, have reported to the parties.

(2) The attorney for the Commonwealth shall make reasonable efforts to ensure that material and information favorable to the defendant is provided to the attorney for the Commonwealth's office by the police or other investigative personnel. The attorney for the Commonwealth shall report to the Court, with notice to the defense, if the police or other investigative personnel fails to provide to the attorney for the Commonwealth information within its possession that would be discoverable if in the possession of the attorney for the Commonwealth.

(3) If the attorney for the Commonwealth is aware that information that would be discoverable if in the possession of the attorney for the Commonwealth is in the possession or control of a governmental agency not reporting directly to the prosecution, the prosecution should disclose the fact of the existence of such information to the defense.

(4) If a governmental agency not reporting directly to the attorney for the Commonwealth or a police department fails to provide information within its possession that would be discoverable if in the possession of the attorney for the Commonwealth, a motion to compel the disclosure of this information may be filed by either the attorney for the Commonwealth or the defense.

(5) If, prior to or during trial, either party discovers additional [evidence] information or material previously required to be disclosed, requested, or ordered to be disclosed by it, which is subject to discovery or inspection under this rule, or the identity of an additional witness or witnesses, such party shall promptly notify the opposing party or the court of the additional [evidence] information, material, or witness.

(E) REMEDY

If at any time during the course of the proceedings it is brought to the attention of the court that a party has failed to comply with this rule, the court may order such party to permit discovery or inspection, may grant a continuance, or may prohibit such party from introducing **into evidence information or material** not disclosed, other than testimony of the defendant, or it may enter such other order, **including an order of dismissal or a finding of contempt against the party that has failed to comply**, as it deems just under the circumstances.

(F) PROTECTIVE ORDERS

Upon a sufficient showing, the court may at any time order that the discovery or inspection be denied, restricted, or deferred, or make such other order as is appropriate. Upon motion of any party, the court may permit the showing to be made, in whole or in part, in the

form of a written statement to be inspected by the court *in camera*. If the court enters an order granting relief following a showing *in camera*, the entire text of the statement shall be sealed and preserved in the records of the court to be made available to the appellate court(s) in the event of an appeal.

(G) WORK PRODUCT

Disclosure shall not be required of legal research or of records, correspondence, reports, or memoranda to the extent that they contain the opinions, theories, or conclusions of the attorney for the Commonwealth or the attorney for the defense, or members of their legal staffs.

Comment

This rule is intended to apply only to court cases. However, the constitutional guarantees mandated in *Brady v. Maryland*, 373 U.S. 83 (1963), and the refinements of the *Brady* standards embodied in subsequent judicial decisions, apply to all cases, including court cases and summary cases, and nothing to the contrary is intended. For definitions of "court case" and "summary case," see Rule 103. **See also Commonwealth v. Green, 640 A.2d 1242 (Pa. 1994); Commonwealth v. Johnson, 815 A.2d 563 (Pa. 2002); Commonwealth v. Paddy, 800 A.2d 294 (Pa. 2002); Commonwealth v. Smith, 985 A.2d 886 (Pa. 2009).**

See Rule 556.10(B)(5) for discovery in cases indicted by a grand jury.

The attorney for the Commonwealth should not charge the defendant for the costs of copying pretrial discovery materials. However, nothing in this rule is intended to preclude the attorney for the Commonwealth, on a case-by-case basis, from requesting an order for the defendant to pay the copying costs. In these cases, the trial judge has discretion to determine the amount of costs, if any, to be paid by the defendant.

Paragraph (A) was amended in 2019 to recognize the more common practice of the parties to provide mandatory discovery information to the opposing party as a matter of course. This had previously been called "informal discovery." However, this terminology was changed to recognize that the first step in discovery should be the voluntary disclosure of mandatory discovery information without the need for there to be a solicitation by the opposing party. In the event that there is a disagreement between the parties, the process for seeking a motion to compel discovery is available as provided in the rule.

Any motion under this rule must comply with the provisions of Rule 575 (Motions and Answers) and Rule 576 (Filing and Service by Parties).

See Rule 576(B)(4) and Comment for the contents and form of the certificate of service.

See Rule 569 (Examination of Defendant by Mental Health Expert) for the procedures for the examination of the defendant by the mental health expert when the defendant has given notice of an intention to assert a defense of insanity or mental infirmity or notice of the intention to introduce expert evidence relating to a mental disease or defect or any other mental condition of the defendant.

For purposes of this rule, "information" means any evidence, document, item, or other material or data concerning the case.

Included within the scope of paragraph (B)(2)(a)(iv) is any information concerning any prosecutor, investigator, or police officer involved in the case who has received either valuable consideration, or an oral or written promise or contract for valuable consideration, for information concerning the case, or for the production of any work describing the case, or for the right to depict the character of the prosecutor or investigator in connection with his or her involvement in the case.

Pursuant to paragraphs (B)(2)(b) and (C)(2), the trial judge has discretion, upon motion, to order an expert who is expected to testify at trial to prepare a report. However, these provisions are not intended to require a prepared report in every case. The judge should determine, on a case-by-case basis, whether a report should be prepared. For example, a prepared report ordinarily would not be necessary when the expert is known to the parties and testifies about the same subject on a regular basis. On the other hand, a report might be necessary if the expert is not known to the parties or is going to testify about a new or controversial technique.

Whenever the rule makes reference to the term "identification," or "in-person identification," it is understood that such terms are intended to refer to all forms of identifying a defendant by means of the defendant's person being in some way exhibited to a witness for the purpose of an identification: e.g., a line-up, stand-up, show-up, one-on-one confrontation, one-way mirror, etc. The purpose of this provision is to make possible the assertion of a rational basis for a claim of improper identification based upon *Stovall v. Denno*, 388 U.S. 293 (1967), and *United States v. Wade*, 388 U.S. 218 (1967).

This rule is not intended to affect the admissibility of evidence that is discoverable under this rule or evidence that is the fruits of discovery, nor the standing of the defendant to seek suppression of such evidence. See Rule 211 for the procedures for disclosure of a search warrant affidavit(s) that has been sealed.

Paragraph (C)(1), which provided the requirements for notice of the defenses of alibi, insanity, and mental infirmity, was deleted in 2006 and moved to Rules 567 (Notice of Alibi Defense) and 568 (Notice of Defense of Insanity or Mental Infirmity).

It is intended that the remedies provided in paragraph (E) apply equally to the Commonwealth and the defendant as the interests of justice require.

The provision for a protective order, paragraph (F), does not confer upon the Commonwealth any right of appeal not presently afforded by law.

It should also be noted that as to material which is discretionary with the court, or which is not enumerated in the rule, if such information contains exculpatory [evidence] information as would come under the *Brady* rule, it *must* be disclosed. Nothing in this rule is intended to limit in any way disclosure of [evidence] information constitutionally required to be disclosed.

Paragraph (B)(1)(a) was amended in 2019 to remove the provision of "materiality" from the requirement of mandatory disclosure by the prosecution of information favorable to the defense. While originally intended to convey the idea that the information was relevant to the case at issue, the term had become more narrowly defined in practice and used as an obstacle for disclosure. Additionally, paragraph (B)(1)(a) requires disclosure of favorable information regardless of the form in

which that information might be or whether the attorney for the Commonwealth believes that the information is credible.

Paragraph (D) was amended in 2019 to clarify that the obligation of the parties to provide required discovery extends to the offices of the attorneys for the Commonwealth and defense counsel, including those who regularly report to the respective attorneys. Additionally, the attorney for the Commonwealth has the obligation to obtain favorable materials relevant to the case from the police or other investigating entities that report to the prosecution. The attorney for the Commonwealth does not have an obligation to seek out favorable information affirmatively from governmental agencies that do not report to the prosecution but must inform the defense if they learn that favorable information is in the possession of those governmental agencies. For purposes of this rule, such governmental agencies may include, but are not limited to, child and youth agencies, child protective agencies, and the Department of Corrections. If discoverable information in the possession of the police or a governmental agency is being withheld, either the prosecution or defense may seek an order from the court to compel the information's disclosure.

The limited suspension of Section 5720 of the Wiretapping and Electronic Surveillance Control Act, 18 Pa.C.S. § 5720, see Rule 1101(E), is intended to insure that the statutory provision and Rule 573(B)(1)(g) are read in harmony. A defendant may seek discovery under paragraph (B)(1)(g) pursuant to the time frame of the rule, while the disclosure provisions of Section 5720 would operate within the time frame set forth in Section 5720 as to materials specified in Section 5720 and not previously discovered.

Official Note: Present Rule 305 replaces former Rules 310 and 312 in their entirety. Former Rules 310 and 312 adopted June 30, 1964, effective January 1, 1965. Former Rule 312 suspended June 29, 1973, effective immediately. Present Rule 305 adopted June 29, 1977 and November 22, 1977, effective as to cases in which the indictment or information is filed on or after January 1, 1978; Comment revised April 24, 1981, effective June 1, 1981; amended October 22, 1981, effective January 1, 1982; amended September 3, 1993, effective January 1, 1994; amended May 13, 1996, effective July 1, 1996; Comment revised July 28, 1997, effective immediately; Comment revised August 28, 1998, effective January 1, 1999; renumbered Rule 573 and amended March 1, 2000, effective April 1, 2001; amended March 3, 2004, effective July 1, 2004; Comment revised March 26, 2004, effective July 1, 2004; amended January 27, 2006, effective August 1, 2006; amended June 21, 2012, effective in 180 days; **amended , 2020, effective , 2020.**

Committee Explanatory Reports:

Report explaining the September 3, 1993 amendments published at 21 Pa.B. 3681 (August 17, 1991).

Final Report explaining the May 13, 1996 amendments published with the Court's Order at 26 Pa.B. 2488 (June 1, 1996).

Final Report explaining the July 28, 1997 Comment revision deleting the references to the ABA Standards published with the Court's Order at 27 Pa.B. 3997 (August 9, 1997).

Final Report explaining the August 28, 1998 Comment revision concerning disclosure of remuneration published with the Court's Order at 28 Pa.B. 4883 (October 3, 1998).

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000).

Final Report explaining the March 3, 2004 amendments to paragraphs (A), (C)(1)(a), and (C)(1)(b), and the revision to the Comment adding the reference to Rules 575 and 576 published with the Court's Order at 34 Pa.B. 1561 (March 20, 2004).

Final Report explaining the March 26, 2004 Comment revision concerning costs of copying discovery materials published with the Court's Order at 34 Pa.B. 1933 (April 10, 2004).

Final Report explaining the January 27, 2006 changes to paragraph (C) deleting the notice of defenses of alibi, insanity, and mental infirmity published with the Court's Order at 36 Pa.B. 700 (February 11, 2006).

Final Report explaining the June 21, 2012 amendments concerning discovery when case is indicted by grand jury published with the Court's Order at 42 Pa.B. 4153 (July 7, 2012).

Report explaining the proposed amendments concerning discovery of favorable information obligations published for comment at 49 Pa.B. 7177 (December 7, 2019).

REPORT

Proposed Amendment of Pa.R.Crim.P. 573

MANDATORY DISCLOSURE OF FAVORABLE MATERIALS IN DISCOVERY

The Committee has been studying possible improvements to the discovery procedures regarding the mandatory disclosure of *Brady* materials, *i.e.*, information favorable to the defendant.¹ This inquiry was prompted by a recently adopted procedure in New York State that provides for the issuance of “*Brady* Orders” to remind prosecutors of their constitutional obligations to disclose exculpatory materials and to remind defense attorneys of their obligations of providing effective assistance. Additionally, the Committee reviewed suggested rule changes from the Pennsylvania Innocence Project (“Innocence Project”) that proposed the adoption of the concept of “open file discovery.”

The New York procedures, found in New York Uniform Rules for Courts Exercising Criminal Jurisdiction 200.16 and 200.27, 22 NYCRR 200.16 and 200.27, require that, in all criminal cases, when the defense counsel has provided the prosecution with a written discovery request, the trial court shall issue an order reminding the prosecution of its obligation to make timely disclosures of information favorable to the defense. These orders set out a broad list of materials that could be included in the definition of “favorable” materials and place on the prosecution a duty to disclose them in a timely fashion and “to learn of such favorable information that is known to others acting on the government's behalf in the case. . . .” Personal sanctions may be imposed against prosecutors who commit “willful and deliberate” misconduct. The orders directed to defense counsel go beyond matters of

discovery and address matters of professional responsibility in the general handling of the case.

The Committee reviewed the requirements of the New York procedures and compared them to the requirements of Rule 573 and Rule of Professional Conduct 3.8(d) (Special Responsibilities of a Prosecutor). The Committee concluded that issuing a *Brady* order be included for every case, as in the New York procedures, would result in only “boilerplate” paperwork of little substantive value. Additionally, the Committee believes that the provisions of the New York procedures regarding defense counsel obligations were more a matter of professional responsibility and should not be included in a procedural rule. However, the Committee did conclude that some of the concepts regarding the prosecution's duties as defined in the New York procedures might be worthwhile to incorporate into Pennsylvania discovery practice as discussed below.

The Innocence Project proposed the adoption of “open file discovery,” which, in concept, is the practice of automatically granting the defense access to all unprivileged information that, with due diligence, is known or should be known to the prosecution, law enforcement agencies acting on behalf of the prosecution, or other agencies such as forensics testing laboratories working for the prosecution. Such a policy reduces discretionary decisions in determining what evidence should be disclosed to the defense, effectively providing access to the prosecution's entire file. Open discovery has its roots in the 1994 American Bar Association (ABA) standards for criminal discovery, which recognized a growing trend toward expanding pretrial discovery in criminal cases.

In particular, the Innocence Project proposed eliminating the provision, contained in current Rule 573(A), requiring efforts at informal discovery, relying instead on provisions for broad mandatory disclosure by the prosecution. Their proposal also would establish an open file requirement for the Commonwealth that would include a detailed definition of the term “file,” the contents of which must be disclosed, as well as other forms of information that must be disclosed even if not with the prosecution's case file. It would impose a duty of due diligence to ensure that all offices involved in the investigation of the case disclose the required information. The current provisions regarding discretionary discovery would be removed as unnecessary since discovery essentially would be mandatory. Also suggested was a statement of the Commonwealth's *Brady* obligations, derived from the New York procedures, to be added to the Comment to Rule 573. As with its review of the New York procedures, the Committee believes that adoption of the entirety of the Innocence Project's proposal would not be warranted but did conclude that incorporation of a number of the suggested concepts into discovery practice would be beneficial.

The Committee, therefore, is proposing that Rule 573 be amended in a number of particulars. First, the changes attempt to better define the duties of the parties to provide favorable information in a timely fashion and the remedies when such disclosure is not made. This would include a change in terminology of what is to be provided from “evidence” to “information” to indicate the broader scope of materials to be turned over. The rule changes would also provide more detail in describing some of the types of information, such as that relating to identification, to be disclosed to the defense. The changes would also remove the requirement that *Brady* information be “material.” Rather, the rule would be changed to rely on whether the information could be considered

¹ See *Brady v. Maryland*, 373 U.S. 83 (1963), the seminal U.S. Supreme Court case that established the obligation on the part of the prosecution to turn over exculpatory evidence to the defense.

favorable, and require that such information be disclosed regardless of the form that information takes and whether the prosecutor credits the information. The proposed changes would more clearly define the duty of prosecutors to discover and disclose evidence favorable to the defense, including obligating the prosecution to make reasonable efforts to obtain information relating to the defendant and the offenses charged that is in the possession of investigative personnel as well as define the organizations covered by this obligation. The Rule 573 Comment would also be revised to cross-reference some of the key caselaw in defining *Brady* obligations.

In developing these proposed changes, the Committee first examined the language in paragraph (A) of Rule 573, currently titled "Informal Discovery," and concluded that it does not adequately describe current discovery practice. The most common practice is for prosecutors to make available most of their investigative file to the defense at a fairly earlier stage in the proceeding without the need for a formal request by the defense. The Committee initially agreed that it is unnecessary to retain the caption "informal discovery" but did believe that the provisions in paragraph (A) regarding filing a motion to seek relief when there is a dispute about compliance should be retained.

Ultimately, the Committee concluded that the rule should retain some language regarding voluntary discovery of mandatory information but should not be defined by a formal request of discoverable materials. The Committee also believes that the current 14-day time limit for filing any motion to compel when voluntary compliance has failed places an unrealistic burden on both the prosecution and defense and should be increased to 30 days following the arraignment. To these ends, paragraph (A) would be retitled to "Initiation of Discovery" and paragraph (A) would be revised to indicate that discovery among the parties should be the first step and that the involvement of the trial court occur when there is a dispute over discovery. The language in paragraph (A) also would be modified to emphasize that mandatory discovery should proceed without the need for a formal request to be lodged. Comment language would be added to explain this concept further.

Paragraph (B)(1), regarding mandatory disclosure by the Commonwealth, would be modified in several ways. This would include a more detailed definition of "favorable information" as any information that "tends to exculpate the defendant, to mitigate the level of the defendant's culpability, to support a potential defense, or that tends to impeach a prosecution witness's credibility." The requirement that the defense must first request mandatorily discoverable information also would be removed.

Furthermore, the requirement that the information must be "material" would be eliminated. The Committee concluded that this terminology was originally intended to convey the idea that the information was relevant to the case at issue. However, it appears that this term had become more narrowly defined in practice and used in some cases as an obstacle to disclosure.

The changes to paragraph (B)(1) would also include an expanded description of the types of information that should be considered favorable. For example, the prosecution would be required to disclose the circumstances of

identification and attempted identifications of the defendant and other persons during the investigation of the instant case as well as notes and reports by investigative personnel concerning identifications made in response to the investigation of the instant case. Finally, paragraph (B)(1) would state that the disclosure of favorable information is required regardless of the form in which that information might be or whether the attorney for the Commonwealth believes that the information is credible.

Paragraph (B)(2), regarding discovery of prosecution information that is discretionary with the court, and Paragraph (C), defining disclosures by the defendant, would remain effectively unchanged. However, a new paragraph (B)(2)(c) would recognize the practice of disclosure by agreement among opposing counsel of discretionarily discoverable information.

The Committee also is proposing a number of changes to paragraph (D) that would better define the continuing duty of the parties to disclose favorable information, with particular emphasis on the Commonwealth's obligations. New paragraph (D)(1) would state that the duty to disclose extends to the parties' staff or others who report to the parties. New paragraph (D)(2) would obligate the attorney for the Commonwealth to make reasonable efforts to obtain information relating to the defendant and the offenses charged that is in the possession of the police and other investigative personnel. The Committee is not proposing to place an affirmative obligation on the attorney for the Commonwealth to seek out favorable information in the possession of other governmental agencies other than the police or other investigative personnel. These "other governmental agencies" would include entities outside of the control of the attorney for the Commonwealth, such as the Department of Corrections and child and youth services agencies. As provided in new paragraph (D)(3), the attorney for the Commonwealth must advise the defense of the existence of such information when the Commonwealth becomes aware of it. These duties would be further elaborated in the Comment to Rule 573.

Several members of the Committee identified a problem of police departments who either fail to provide discoverable information to the attorney for the Commonwealth or provide such information at a late date despite efforts by the attorney for the Commonwealth, thus necessitating a delay in trial. To address this problem, new paragraph (D)(2) would require the attorney for the Commonwealth to alert the trial judge when there is difficulty in obtaining information from the police or other investigative personnel and, in paragraph (D)(4), to permit all parties to the case, including the attorney for the Commonwealth, to seek an order to compel this disclosure.

Paragraph (E), regarding remedies for failure to abide by the rule, would be modified to state that the sanctions that may be imposed include dismissal and contempt. The Committee also concluded that the substantive interpretation of *Brady* obligations would be more effectively addressed by adding to the Rule 573 Comment cross-references to the key United States Supreme Court and Pennsylvania Supreme Court cases that define the *Brady* obligation.

[Pa.B. Doc. No. 19-1807. Filed for public inspection December 6, 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 November 26, 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>
10-21-2019	The Northern Trust Company Chicago Cook County, IL	2400 Market Street Suite 239 Philadelphia Philadelphia County, PA	Opened
11-15-2019	Wayne Bank Honesdale Wayne County	1130 Wyoming Avenue Exeter Luzerne County	Opened
11-18-2019	Jonestown Bank and Trust Company of Jonestown, Pennsylvania Jonestown Lebanon County	318 East Penn Avenue Robesonia Berks County	Filed
11-20-2019	William Penn Bank Levittown Bucks County	765 Haddon Avenue Collingswood Camden County, NJ	Filed

CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 19-1808. Filed for public inspection December 6, 2019, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Execution of Oil and Gas Lease for Publicly- Owned Streambeds

Effective February 8, 2019, a First Amendment to Oil and Gas Lease for Publicly-Owned Streambeds, Contract No. M-2102007-04, was executed by and between the Commonwealth, acting through the Department of Conservation and Natural Resources (Department) (lessor), and Chevron Appalachia, LLC (lessee), with its principal place of business located at 700 Cherrington Parkway, Coraopolis, PA 15108.

The lease is for Streambed Tract 2007 on the Monongahela River encompassing a total of 1,264.3 acres of submerged lands located in Cumberland, Luzerne, Nicholson and Monongahela Townships, Greene and Fayette Counties. The lease was recorded at the Greene County Courthouse on May 9, 2010, Instrument No.

201900002907, book 525, pages 2412—2421; Washington County Courthouse on May 9, 2019, Instrument No. 201909793; and Fayette County Courthouse on May 3, 2019, Instrument No. 201900004048, book 3401, page 292-300. The lease allows for the development of oil and natural gas below and between the ordinary low water marks of the Monongahela River solely by means of directional, including horizontal, drilling on a nondevelopment basis that will not disturb the river or its bed. Contract No. M-2102001-04 may be viewed online at https://patreasury.gov/transparency/e-library/ContractFiles/505723_M-2102007-04%20First%20Amendment%20Monongahela%20Lease%20Chevron%20Appalachia.pdf.

Questions regarding this lease should be directed to the Department's Bureau of Forestry, Minerals Division, (717) 787-2703.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 19-1809. Filed for public inspection December 6, 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, 570-826-2511.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0041009 (Industrial)	Global Companies Macungie Terminal 800 South Street P.O. Box 9161 Waltham, MA 02454-9161	Lehigh County Lower Macungie Township	Unnamed Tributary to Little Lehigh Creek (HQ-CWF, MF) (2-C)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0036102 (Sewage)	Heidelberg Heights P.O. Box 3348 Allentown, PA 18106-0348	Lehigh County Heidelberg Township	Unnamed Tributary to Mill Creek (CWF, MF) (2-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0114332 (Industrial)	Dresser Wellsboro Plant Groundwater Cleanup 3000 N Sam Houston Parkway E Houston, TX 77032-3219	Tioga County Delmar Township	Unnamed Tributary to Baldwin Run (HQ-CWF) (9-A)	Yes
PA0233811 (Industrial)	Ulster Municipal Authority Water System 23639 Route 220 P.O. Box 157 Ulster, PA 18850-7982	Bradford County Ulster Township	Unnamed Tributary to Susquehanna River (WWF) (4-B)	Yes
PA0111953 (Sewage)	Guardian Elder Care, Inc. Highlands Care Center STP P.O. Box 10 Laporte, PA 18626-0100	Sullivan County Laporte Borough	Unnamed Tributary to Mill Creek (EV (existing use)) (10-B)	Yes
PA0112895 (Sewage)	Beverly A. Roeder 205-B Independent Street Catawissa, PA 17820-8202	Columbia County Roaring Creek Township	Unnamed Tributary to Mill Creek (HQ-CWF, MF) (5-E)	Yes
PA0208736 (Sewage)	MAMA Moshannon WWTF P.O. Box 275 Snow Shoe, PA 16874-0275	Centre County Snow Shoe Township	Unnamed Tributary to Black Moshannon Creek (HQ-CWF) (8-D)	Yes
PA0233668 (Sewage)	Kathleen Danley SFTF 462 Bullit Run Road Howard, PA 16841-2726	Centre County Howard Township	Bullit Run (CWF) (9-C)	Yes
PA0232505 (Sewage)	Brady Township STP 3906 Shamokin Trail Luthersburg, PA 15848	Clearfield County Brady Township	Unnamed Tributary to Luthersburg Branch (17-C)	Yes
PA0114545 (Industrial)	Troy's Suds Depot P.O. Box 153 Sylvania, PA 16945-0153	Bradford County Troy Township	South Branch Sugar Creek (TSF) (4-C)	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.

PA0057819, Sewage, SIC Code 4952, **New Hanover Township Authority Montgomery County**, 2990 Fagleysville Road, Gilbertsville, PA 19525-9747. Facility Name: New Hanover Township STP & Sewer System. This existing facility is located in New Hanover Township, **Montgomery 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), Swamp Creek (TSF, MF), is located in State Water Plan watershed 3-E 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 1.925 MGD.—Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	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>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	Report	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	241	361	XXX	15	23	30
May 1 - Oct 31	160	241	XXX	10	15	20
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	160	241	XXX	10	15	20
Total Dissolved Solids	XXX	XXX	XXX	1,200.0	2,400.0 Daily Max	3,000
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	Report
Ammonia-Nitrogen						
Nov 1 - Apr 30	48	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	24	XXX	XXX	1.5	XXX	3
Total Phosphorus	14	XXX	XXX	0.9	XXX	1.8
Sulfate, Total	XXX	XXX	XXX	Report	XXX	XXX
Chloride	XXX	XXX	XXX	Report	XXX	XXX
Bromide	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 1.925 MGD.—Limits.

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

The proposed effluent limits for Outfall 005 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>Weekly Average</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen (Total Load, lbs)	XXX	XXX	XXX	XXX	Report	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	Report	XXX

Sludge use and disposal description and location(s): Sludge is hauled off-site.

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

- No stormwater to sanitary sewers
- Necessary property rights

- Proper sludge disposal
- Notification of designation of responsible operator
- Operations and maintenance plan
- Whole Effluent Toxicity Testing
- Requirements for Stormwater 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 not in effect.

PA0058858, Sewage, SIC Code 4952, **Upper Makefield Township Bucks County**, 1076 Eagle Road, Newtown, PA 18940-2818. Facility Name: Reeve Tract Subdivision. This existing facility is located in Upper Makefield Township, **Bucks 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 Jericho Creek (WWF, MF), 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 Outfall 001 are based on a design flow of .020225 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	6.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅) Raw Sewage Influent	Report 1.7	XXX XXX	XXX XXX	Report 10	XXX XXX	XXX 20
BOD ₅ (Load, lbs/mo or lbs/year) Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	1.7	XXX	XXX	10	XXX	20
Total Dissolved Solids	XXX	XXX	XXX	1,000	2,000 Daily Max	2,500
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Total Nitrogen Ammonia-Nitrogen	1.7	XXX	XXX	10.0	XXX	20
Nov 1 - Apr 30	0.50	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	0.3	XXX	XXX	1.5	XXX	3
Nitrite an N May 1 - Sep 30	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	0.2	XXX	XXX	1.0	XXX	2

Sludge use and disposal description and location(s): Sludge is hauled away by a sludge hauler for disposal.

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

- Other Requirements
- No Stormwater
- Necessary Property Rights
- Proper Sludge Disposal
- Not accept wastewater pollutants associated with unconventional oil and gas
- Operations and Maintenance Plan
- Solids Management

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.

PA0013285, Industrial, SIC Code 4941, **Aqua Pennsylvania, Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010-3402. Facility Name: Pickering Creek Water Filtration Plant. This existing facility is located in Schuylkill Township, **Chester 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), Pickering Creek (HQ-TSF) and Pickering Creek (WWF, MF), is located in State Water Plan watershed 3-D and is classified for Migratory Fishes, Warm Water Fishes, and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 002 are based on a design flow of 2.1 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>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 2.1 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>Daily Maximum</i>	<i>Minimum</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
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min XXX	0.5	XXX	1.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	Report	Report	XXX	25.0	40.0	50
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75
Turbidity (NTU)	XXX	XXX	XXX	Report	XXX	Report
Aluminum, Total	Report	Report	XXX	4.0	8.0	10
Iron, Total	Report	Report	XXX	2.0	4.0	5
Manganese, Total	Report	Report	XXX	1.0	2.0	2.5

The proposed effluent limits for Outfall 003 are based on a design flow of .001 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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.0	XXX	1.0

The proposed effluent limits for Outfall 004 are based on a design flow of .001 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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.0	XXX	1.0

The proposed effluent limits for Outfall 005 are based on a design flow of .001 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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	1.0	XXX	1.0

The proposed effluent limits for Outfall 006 are based on a design flow of .001 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	Daily Max XXX	XXX	1.0	XXX	1.0

The following narrative criteria are applicable for groundwater discharge outfalls 007, 008 and 009:

- a. This discharge shall consist solely of groundwater.
- b. There shall be no discharge of floating solids or visible foam in other than trace amount.

The following narrative criteria are applicable for traveling screen washwater discharge from outfall 010:

- a. The materials (solids and other debris) physically or mechanically removed during backwash operations shall not be returned to surface waters. The disposal of these materials shall prevent any discharge of removed substances to the surface waters.
- b. There shall be no discharge of floating solids or visible foam in other than trace amount.

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

- Discharge condition into Pickering Creek
- Submit updated PPC Plan

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

The EPA Waiver is in effect.

PA0051802, Sewage, SIC Code 2759, **Gravel 38 LLC**, 2620 Egypt Road, Audubon, PA 19403-2302. Facility Name: Gravel 38 LLC. This existing facility is located in Upper Hanover Township, **Montgomery County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0085 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Daily Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)						
Nov 1 - Apr 30	1.8	XXX	XXX	25.0	XXX	50
May 1 - Oct 31	1.0	XXX	XXX	15.0	XXX	30
Total Suspended Solids	2.1	XXX	XXX	30.0	XXX	60
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	200.0	XXX	1,000.0
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 200.0	XXX	1,000.0
Ultraviolet light intensity (mW/cm ²)	XXX	XXX	Report	Geo Mean XXX	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	0.32	XXX	XXX	4.5	XXX	9
May 1 - Oct 31	0.11	XXX	XXX	1.5	XXX	3
Total Phosphorus	0.035	XXX	XXX	0.5	XXX	1.25

The proposed effluent limits for stormwater at Outfall 002 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>Daily Maximum</i>	<i>Maximum</i>	
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	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>Average Weekly</i>		<i>Daily Maximum</i>	<i>Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for stormwater at Outfall 003 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>Daily Maximum</i>	<i>Maximum</i>	
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	Report	XXX	XXX
Copper, Total	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Lead, Total	XXX	XXX	XXX	Report	XXX	XXX
Zinc, Total	XXX	XXX	XXX	Report	XXX	XXX

Sludge use and disposal description and location(s): Sludge will be disposed to Pottstown WWTP.

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

- Proper sludge disposal
- Designation of responsible operator
- Operation and Maintenance Plan
- Stormwater requirements

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

The EPA Waiver is in effect.

PA0042889, Sewage, SIC Code 8211, **Octorara Area School District**, 228 Highland Road, Atglen, PA 19310-1603. Facility Name: Octorara School District STP. This existing facility is located in West Fallowfield Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to Knight Run (TSF, MF), is located in State Water Plan watershed 7-K 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 .03 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6 Inst Min	XXX	XXX	9
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.02	XXX	0.04
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	6.25	XXX	XXX	25	XXX	50
Total Suspended Solids	7.5	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen						
Nov 1 - Apr 30	1.5	XXX	XXX	6.0	XXX	12
May 1 - Oct 31	0.5	XXX	XXX	2.0	XXX	4
Total Phosphorus	0.5	XXX	XXX	2.0	XXX	4
Nitrate-Nitrite as N	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX

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

Sludge use and disposal description and location(s): Delcora & Goose Creek STP.

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

- A. No Stormwater
- B. All Necessary Rights
- C. Sludge Removal
- D. Abandon STP
- E. TRC Minimization
- F. Small Receiving Stream
- G. Fecal Coliform

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

The EPA Waiver is not in effect.

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

PA0043052, Sewage, SIC Code 4952, **Spring Township Berks County**, 2850 Windmill Road, Reading, PA 19608-1668. Facility Name: Spring Township STP. This existing facility is located in Spring Township, **Berks County**.

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

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

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

Parameters	Mass Units (lbs/day)		Instant. Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	417	667	XXX	25	40	50
Biochemical Oxygen Demand (BOD ₅) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	500	750	XXX	30	45	60
Total Dissolved Solids	XXX	XXX	XXX	1,500.0	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	XXX
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	175	XXX	XXX	10.5	XXX	21
May 1 - Oct 31	58	XXX	XXX	3.5	XXX	7
Total Phosphorus	21	XXX	XXX	1.28	XXX	2.5
Aluminum, Total	18	XXX	XXX	1.11	XXX	1.74
Ultraviolet light dosage (mWsec/cm ²)	XXX	XXX	Report	XXX	XXX	XXX
Dichlorobromomethane	XXX	XXX	XXX	Report	XXX	XXX

Sludge use and disposal description and location(s): Pioneer Crossing Landfill, Birdsboro, PA.

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.

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

PA0001228 A-1, Industrial, SIC Code 3621, **Curtiss Wright Corp**, 1000 Wright Way, Cheswick, PA 15024-1008. Facility Name: Curtiss Wright Electro Mechanical Corp. This existing facility is located in Harmar Township, **Allegheny County**.

Description of Activity: The application is for an NPDES permit amendment for an addition of a new IMP for the discharge from a new test loop.

The receiving stream(s), Unnamed Tributary to Allegheny River (WWF), is located in State Water Plan watershed 18-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The following proposed effluent limits for IMP 133 are:

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	XXX
Iron, Dissolved	XXX	XXX	XXX	Report	7.0	XXX

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

The EPA Waiver is in effect.

PA0097497, Industrial, SIC Code 4952, **Cowanshannock Township Municipal Authority Armstrong County**, P.O. Box 127, NuMine, PA 16244-0127. Facility Name: Sagamore Water Treatment Plant. This existing facility is located in Cowanshannock Township, **Armstrong County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of filter backwash water overflow from the plant's lagoon.

The receiving stream, Unnamed Tributary to North Branch Plum Creek (CWF), is located in State Water Plan watershed 17-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0035 MGD.—Permit Effective Date (PED) to 1 Year following PED Interim Limits.

Parameters	Mass Units (lbs/day)		Daily Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum		Average Monthly	Daily Maximum	
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	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Antimony, Total (ug/L)	XXX	XXX	XXX	7.87	12.3	XXX
Barium, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total (ug/L)	XXX	XXX	XXX	0.511	0.797	XXX
Chromium, Hexavalent (ug/L)	XXX	XXX	XXX	14.6	22.8	XXX
Copper, Total (ug/L)	XXX	XXX	XXX	18.4	28.7	XXX
Iron, Dissolved (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	2.0	4.0	XXX
Lead, Total (ug/L)	XXX	XXX	XXX	7.43	11.6	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Nickel, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Silver, Total (ug/L)	XXX	XXX	XXX	6.77	10.6	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0035 MGD.—1 Year following PED to 3 Years following PED Interim Limits.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.095	XXX	0.223
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Antimony, Total (ug/L)	XXX	XXX	XXX	7.87	12.3	XXX
Barium, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total (ug/L)	XXX	XXX	XXX	0.511	0.797	XXX
Chromium, Hexavalent (ug/L)	XXX	XXX	XXX	14.6	22.8	XXX
Copper, Total (ug/L)	XXX	XXX	XXX	18.4	28.7	XXX
Iron, Dissolved (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	2.0	4.0	XXX
Lead, Total (ug/L)	XXX	XXX	XXX	7.43	11.6	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Nickel, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Silver, Total (ug/L)	XXX	XXX	XXX	6.77	10.6	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0035 MGD.—3 Years following PED to Permit Expiration Date Final Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Daily Minimum</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
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.095	XXX	0.223
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Antimony, Total (ug/L)	XXX	XXX	XXX	7.87	12.3	XXX
Barium, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Cadmium, Total (ug/L)	XXX	XXX	XXX	0.511	0.797	XXX
Chromium, Hexavalent (ug/L)	XXX	XXX	XXX	14.6	22.8	XXX
Copper, Total (ug/L)	XXX	XXX	XXX	18.4	28.7	XXX
Iron, Dissolved (ug/L)	XXX	XXX	XXX	421.4	657.4	XXX
Iron, Total	XXX	XXX	XXX	2.0	3.29	XXX
Lead, Total (ug/L)	XXX	XXX	XXX	7.43	11.6	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Nickel, Total (ug/L)	XXX	XXX	XXX	Report	Report	XXX
Silver, Total (ug/L)	XXX	XXX	XXX	6.77	10.6	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0035 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>Total Annual</i>	<i>Daily Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
TSS (Load, lbs/mo or lbs/year) (lbs/year)	XXX	Report	XXX	XXX	XXX	XXX

Note: Effluent limitations and monitoring requirements for Total Antimony, Total Cadmium, Hexavalent Chromium, Total Copper, Total Lead, and Total Silver were proposed due to the applicant's failure to achieve the Department's minimum quantification limits in the permit application. During the 30-day public comment period, the Department will allow Sagamore Water Treatment Plant to conduct additional effluent monitoring to achieve the Department's minimum quantification limits. If additional samples are not detected at the quantification limits, the proposed effluent limits and monitoring requirements may be removed from the final permit.

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

The EPA Waiver is in effect.

III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P.S. §§ 691.1—691.1001).

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

WQM Permit No. WQG02461916, Sewage, **Horsham Township Water & Sewer Authority**, 617 Horsham Road, Horsham, PA 19044.

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

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

WQM Permit No. 4619408, Sewage, **Norristown Municipal Waste Authority**, 235 East Airy Street, Norristown, PA 19401.

This proposed facility is located in Norristown Borough, **Montgomery County**.

Description of Action/Activity: Energy and operation improvements to influent pump station, aeration system and dewatering system.

WQM Permit No. 1596410, Sewage, Amendment, **Aqua Pennsylvania Wastewater Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010-3402.

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

Description of Action/Activity: Installing 2 new SBR decant equilization tanks to replace existing tanks compartment to allow for increased surge & sludge holding tank volume within existing steel tank.

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

WQM Permit No. WQG02361901, Sewerage, **Paradise Twp. Sewer Authority**, 2 Township Drive, P.O. Box 40, Paradise, PA 17562-9608.

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

Description of Proposed Action/Activity: Seeking permit approval for construction/operation of Oak Hill Drive Sanitary Sewer Extension and Pump Station.

WQM Permit No. 3619405, Sewerage, **Strasburg Boro Authority**, 145 Precision Avenue, Strasburg, PA 17579.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of Pump Station No. 5.

WQM Permit No. 2898403, Amendment # 3, Sewerage, **Antrim Township**, P.O. Box 130, 10655 Antrim Church Road, Greencastle, PA 17225.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of Plant Phase II Upgrade.

WQM Permit No. 0619406, Sewerage, **Fleetwood Borough Authority**, 110 West Arch Street, Suite 104, Fleetwood, PA 19522-1321.

This proposed facility is located in Richmond Township, **Berks County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of East Vine Street Pump Station upgrade project.

WQM Permit No. 6714402, Amendment # 1, **Richard Stone**, 5260 Pinchtown Road, Dover, PA 17315.

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

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of small flow treatment facility to serve existing single family dwelling.

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

WQM Permit No. 6319201, Industrial, **Robinson Power Co. LLC**, P.O. Box 127, Burgettstown, PA 15021-0127.

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

Description of Proposed Action/Activity: Construction of an industrial waste treatment system.

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

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

PAI134812, MS4, **Old Lycoming Township Joint Client**, 1951 Green Avenue, Williamsport, PA 17701-1582. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Old Lycoming Township, Montoursville Borough, Hepburn Township, Fairfield Township, and Lycoming Township, **Lycoming County**. The receiving stream(s), Mill Creek (TSF, MF), Bottle Run (WWF, MF), Loyalsock Creek (TSF, MF), Unnamed Tributary to Lycoming Creek (WWF, MF), Lycoming Creek (EV), West Branch Susquehanna River (WWF), Bennetts Run (WWF), and Tules Run (WWF) is located in State Water Plan watershed 10-A and 10-B and is classified for Migratory Fishes, Warm Water Fishes, and Trout Stocking, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

- A Pollutant Reduction Plan (PRP)

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150052 A-1	The Vanguard Group 400 Devon Park Drive Wayne, PA 19087	Chester	East Whiteland Township	Little Valley Creek EV
PAD460044	PECO Energy Company 2301 Market Street, S7-2 Philadelphia, PA 19103	Montgomery	Lower Merion Township	Schuylkill River, Gulph Creek, Unnamed Tributary to Gulf Creek, Langford Run, and Cobbs Creek WWF-MF Unnamed Tributary to Mill Creek, Darby Creek, Meadowbrook Run, Finn Run, Doom Run, Ithan Creek, and Unnamed Tributary to Darby Creek CWF-MF Mill Creek and Unnamed Tributary to Meadowbrook Run TSF-MF
PAD510053	Dobson Scotts, LP 1919 Post Oaks Park Drive No. 3101 Houston, TX 77027	Philadelphia	City of Philadelphia	Schuylkill River WWF
PAD510045	South Philadelphia 1, LLC c/o Cedar Realty Trust, Inc. 44 South Bayles Avenue Port Washington, NY 11050	Philadelphia	City of Philadelphia	Lower Schuylkill River WWF

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Melissa Seidler, Clerk Typist 2, 570-830-3048.

Carbon County Conservation District, 5664 Interchange Road, Lehighton, PA 18235, 610-377-4894.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD130026	Exeter Industrial Drive Route 940 Land, LLC c/o Tom Allman 101 W Elm St Suite 600 Conshohocken, PA 19428	Carbon	Kidder Twp	Black Creek (HQ-CWF, MF)

Northampton County Conservation District, 14 Gracedale Ave, Greystone Building, Nazareth, PA 18064-9211, 610-829-6276.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480110	Amy Richard Stockertown Borough 2019 Main St Stockertown, PA 18083	Northampton	Stockertown Borough Tatamy Borough	Bushkill Creek (HQ-CWF, MF)

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Nathan Phillips, Section Chief, 717.705.4802.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD440007	Jill & Mike Ammon 131 Three Locks Road Lewistown, PA 17044	Mifflin	Oliver Township	UNTs Juniata River (HQ-CWF, MF)
PAD360020	Solanco School District 121 South Hess Street Quarryville, PA 17566	Lancaster	Fulton Township	UNT Conewago Creek (HQ-CWF)
PAD210042	SAVCO, LLC 3552 Gettysburg Road Suite 101 Camp Hill, PA 17011	Cumberland	South Middleton Township	UNT Letort Spring Run (HQ-CWF, MF)

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD140056	Penn State University 139J Office of Physical Plant University Park, PA 16802-118	Centre	State College Boro	Thompson Run HQ-CWF

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

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

MS4 PAG-13 Notices of Intent Received.

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

NPDES Permit No. PAG123897, CAFO, Miller Poultry LLC, 345 Church Road, East Berlin, PA 17316.

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

Description of size and scope of proposed operation/activity: Poultry (Turkeys): 463.38 AEUs.

The receiving stream Unnamed Tributary of Markel Run (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.

PUBLIC WATER SUPPLY PERMIT

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent (NOI) to Remediate. An acknowledgment of the receipt of a NOI to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a NOI to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contami-

nants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

tion and reuse plans for the site if the request is made within 30-days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

The Department has received the following NOI to Remediate:

SAFE DRINKING WATER

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

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Melissa Seidler, Clerk Typist 2, 570-830-3048.

Application No. 4519508, Public Water Supply.

Applicant	Penn Estates Utilities, Inc. 570 Hallet Rd. East Stroudsburg, PA 18301
Township or Borough	Stroud Township, Monroe County
Responsible Official	Emily Long, Area Manager Penn Estates Utilities, Inc. 570 Hallet Rd. East Stroudsburg, PA 18301
Type of Facility	PWS
Consulting Engineer	Peter Lusardi, PE GHD, Inc. 1240 North Mountain Rd. Harrisburg, PA 17113
Application Received Date	11/05/2019
Description of Action	The applicant proposed corrosion control treatment facilities per the Department's Lead and Copper Rule.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

Acknowledgment of Notices of Intent to Remediate Submitted Under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908).

Sections 302, 303, 304 and 305 of the Land Recycling and Environmental Remediation Standards Act (Act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice

of Intent (NOI) to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background standard, State-wide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a (NOI) to Remediate with the Department. A NOI to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one, or a combination of the cleanup standards, or who receives approval of a special industrial area remediation identified under the Act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

For further information concerning the content of a NOI to Remediate, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department of Environmental Protection has received the following Notice(s) of Intent to Remediate:

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

United States Steel Corporation—KIPC, One Ben Fairless Drive, Falls Township, **Bucks County**. John Garges, GHD Services Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 on behalf of Michael H. Leon, United States Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 15222 submitted a Notice of Intent to Remediate. Soil at the site has been found to be contaminated with VOCs, SVOCs metals and PCBs. The current and anticipated future use of the site is commercial/industrial. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on September 8, 2019.

The Milk Depot, LLC, 1327-1333 North Marston Street, City of Philadelphia, **Philadelphia County**. John

C. Lydzinski, PG, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406-3207 on behalf of David Ross, The Milk Depot, LLC, 3001 West Girard Avenue Unit 1F, Philadelphia, PA 19130 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with No. 2 fuel oil and No. 6 fuel oil. The proposed future use of the site will be residential townhouses and/or apartment units. The Notice of Intent to Remediate was published in the *Philadelphia Weekly* on June 20, 2019.

Erdenheim Farm, 5051 Flourtown Road, Whitmarsh Township, **Montgomery County**. Angelo C. Fatiga, Pennoni, 1900 Market Street, Suite 300, Philadelphia, PA 19103 on behalf of Joe Sullivan, Erdenheim Farm, LLC, 5051 Flourtown Road, Lafayette Hill, PA 19444 submitted a Notice of Intent to Remediate. A release of gasoline was detected during a removal of a 1,000-gallon gasoline underground storage tank, which impacted soil. The future use of the site will remain as a farm. The Notice of Intent to Remediate was published in the *Times Herald* on May 31, 2019.

Furniture Mart USA, 50 Hulmeville Avenue, Pennel Borough, **Bucks County**. David Schantz, Aquaterra Technologies, Inc., 122 South Church Street, West Chester, PA 19382 on behalf of Roger Betesh, Furniture Mart USA, 50 Hulmeville Avenue, Pennel, PA 19047 submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of arsenic and vanadium. Planned future use is residential (assisted living facility). The Notice of Intent to Remediate was published in the *Newspaper Media Group, LLC*, on September 5, 2019.

Scholler Inc Property, 3320 Collins Street, City of Philadelphia, **Philadelphia County**. John C. Lydzinski, PG, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406-3207 on behalf of David Goldstein, Follow Through Capital, 20 Conshohocken State Road, Apt. 312, Bala Cynwyd, PA 19004 submitted a Notice of Intent to Remediate. PCE, TCE and vinyl chloride were detected in soil and groundwater. The property will be redeveloped for residential use. The Notice of Intent to Remediate was published in the *Philadelphia Weekly* on August 29, 2019.

EM Crouthamel Elementary School, 143 South School Lane, Souderton Borough, **Montgomery County**. Mark T. Smith, PG, Element Environmental Solutions, Inc., 61 Willow Street, P.O. Box 921, Adamstown, PA 19501 on behalf of Frank Ball, Souderton Area School District, 760 Lower Road, Souderton, PA 18964 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with heating oil and gasoline constituents. The current and future use of the property is EM Crouthamel Elementary School. The Notice of Intent to Remediate was published in the *Souderton Independent* on October 1, 2019.

Tioga Pipe Supply Company, Inc., 3321-3329, 3331-3333 and 3335 Richard Street, 2815 and 2825 E. Westmoreland Street, 3320-3322 and 3331 Melvale Street, City of Philadelphia, **Philadelphia County**. Jeffrey K. Walsh, PG, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of David Keiser, Tioga Pipe Supply Company, Inc., 2450 Wheatsheaf Lane, Philadelphia, PA 19137 submitted a Notice of Intent to Remediate. Soil and groundwater have been impacted with VOCs, SVOCs, and metals. The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on October 3, 2019.

Abington YMCA, 1073 Old York Road, Abington Township, **Montgomery County**. Richard S. Werner, PG,

Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 100, King of Prussia, PA 19406 on behalf of Gregory F. Gamble, Jr., Abington Terrace, LLC, 200 Dryden Road, Suite 2000, Dresher, PA 19025 submitted a Notice of Intent to Remediate. Soil at the site was impacted with the release of No. 2 fuel oil. The intended future use of the property is a Children's Hospital of Philadelphia medical building and a YMCA daycare. The Notice of Intent to Remediate was published in *Times Chronicle/Public Spirit* on September 22, 2019.

1929-1945 East York Street/1924-1944 E Hagert Street, 1929-1945 East York Street/1924-1944 E. Hagert Street, City of Philadelphia, **Philadelphia County**. Angelo Fatiga, Pennoni Associates, Inc., 1900 Market Street, Philadelphia, PA 19103 on behalf of Sean McGovern, York Partners OC L.P., 405 North Highland Avenue, Merion Station, PA 19066 submitted a Notice of Intent to Remediate. PCE and metals have been found in soil and groundwater. The intended future use of the property is residential. The Notice of Intent to Remediate was published in the *Metro Philadelphia* on September 25, 2019.

1952 East Allegheny Avenue, 1952 East Allegheny Avenue, City of Philadelphia, **Philadelphia County**. Sarah Szymanski, REPSG, Inc., 6901 Kingsessing Avenue, Philadelphia, PA 19142 on behalf of Steve Culbertson, Impact Services Corporation, 1952 East Allegheny Avenue, Philadelphia, PA 19134 submitted a Notice of Intent to Remediate. Soil and groundwater at the site have been impacted with release of No. 2 heating oil. The Notice of Intent to Remediate was published in the *Philadelphia Daily News* on July 22, 2019.

BBS Clifton Heights, 546 East Baltimore Avenue, Clifton Heights Borough, **Delaware County**. Staci Cottle, J&J Environmental, P.O. Box 370, Blue Bell, PA 19422 submitted a Notice of Intent to Remediate. The site has been found to be contaminated with No. 6 fuel oil. The property will be commercial. The Notice of Intent to Remediate was published in the *Media News Group* on October 14, 2019.

144 Maugers Mill Road, 144 Maugers Mill Road, Upper Pottsgrove Township, **Montgomery County**. Henry Bienkowski, PG, Crawford Environmental Services, LLC, 20 Cardinal Drive, Birdsboro, PA 19508 on behalf of Carol Bachman, 4720 Shearwater Lane, Naples, FL 34119 submitted a Notice of Intent to Remediate. Soil at the site has been found to be contaminated with the release of home heating oil. The current and future use of the property is expected to be for residential use. The Notice of Intent to Remediate was published in the *Media News Group* on October 1, 2019.

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Proposed Wawa Food Market & Fuel Station, 2837 Main Street, Morgantown, PA 19543, Caernarvon Township, **Lancaster County**. Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914, on behalf of Morgantown Developers, LLC, 1195 Route 70, Suite 2000, Lakewood, NJ 08701, submitted a Notice of Intent to Remediate site soil contaminated with arsenic and benzopyrene from a former automobile sales facility and an underground heating oil tank. The site will be remediated to the Residential Statewide Standard. Future use of the site will be used for commercial purposes. The Notice of Intent to Remediate was published in the *LNP* on November 19, 2019.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701, Telephone number: 570-237-3636.

Contact: Lisa Hensel, Clerk Typist II, 570-327-3653.

Former Palmer Industrial Coating, Woodward Township, **Lycoming County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of D & B Industrial Leasing, LLC, 464 Huling Lane, Williamsport, PA 17702, has submitted a Notice of Intent to Remediate site soil impacted with Methyl Isobutyl Ketone and Zinc encountered in the "Spray Room" floor of the former Palmer Industrial Coatings, Inc. Facility. The future use of the property is expected to remain as an industrial property. A summary of the Notice of Intent to Remediate was published in the *Williamsport Sun-Gazette* on October 4, 2019.

Streamline Express, Inc. Project, Liberty Township, **Montour County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Streamline Express, Inc., 6435 South Quincy Street Willowbrook, IL 60527, has submitted a Notice of Intent to Remediate site soil contaminated with diesel fuel, motor oil, antifreeze and transmission fluid. The site was and will remain a PA DOT rest area along the interstate roadway. A summary of the Notice of Intent to Remediate was published in *The Daily Item* on November 5, 2019.

DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

Southwest Region: Bureau of Waste Management, Environmental Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000.

Permit ID No. WMGR038SW013. Liberty Tire Services of Ohio, LLC, 14864 Lincoln Street, SE, Minerva, OH 44657. Duquesne Drop site, South Linden Street, Duquesne, PA 15110. A residual waste general permit for Waste Tire Storage Site in Duquesne, **Allegheny County**, was deemed administratively complete in the Regional Office on November 18, 2019.

Persons interested in reviewing the general permit or the application may contact the Department of Environmental Protection, Regional Files, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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.

PLAN APPROVALS

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

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

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940.

62-0320: Ellwood National Forge—Irvine Plant (One Front Street, Irvine, PA 16329) for the proposed construction of a natural gas fired boiler rated at 11.5 MMBtu/hr; removal of Source 032 (Union Boiler); increase natural gas throughput to Source 033 (Natural Gas Space Heater); and decrease natural gas throughput to Source 112 (ENC Heat Treat). The facility is located in Brokenstraw Township, **Warren County**. This is a Title V facility.

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.

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

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

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

Plan Approval No. 39-00004F is for the revision of the permit limit for Volatile Organic Compounds (VOCs) emissions. The company has requested to add a VOC emission limits of 20.0 tons/year each to the following sources combined at the facility (ID 120, 121). No other operational changes, modification or new equipment installation is proposed by the company. The company has requested these voluntary VOC emission limits in order for the facility to meet RACT 2 applicability. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 39-00004F and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting

a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

40-00020B: Pennsylvania Department of Public Welfare/White Haven Center (827 Oley Valley Road, White Haven, PA 18661) to operate the three (3) existing coal boilers without a voluntary limit on coal usage and comply with the requirements of 40 CFR 63 Subpart JJJJJJ at their facility in Foster Township, **Luzerne County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) intends to issue a Plan Approval to Pennsylvania Department of Public Welfare/White Haven Center (827 Oley Valley Road, White Haven, PA 18661) to operate the three (3) existing coal boilers without a voluntary limit on coal usage of no more than 10% of their annual capacity and installing an oxygen analyzer system to comply with 40 CFR 63 Subpart JJJJJJ at their facility in Foster Township, Luzerne County. The facility currently operates under Title V Operating Permit No. 40-00020. Plan approval 40-00020B will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 40-00020B will also contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 40-00020B and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

36-05014J: Alumax Mill Products, Inc. (1480 Manheim Pike, Lancaster, PA 17604-3167) for the replacement of the burners in two melting furnaces at the secondary aluminum production facility in Manheim Township, **Lancaster County**. Specifically, the project is for the replacement of the current burners in melting furnaces No. 7 & 8 (Source IDs 137 & 139) with new 40 MMBtu/hr natural gas fired regenerative burners. The actual melt rate of each furnace is expected to increase from 22,500 pounds per hour to 32,000 pounds per hour. Along with the increase in melt production, actual material throughputs of Source IDs C01C, C01D and 107 are also expected to increase, although no physical modification will take place to the emission units. The capacities of downstream operations (i.e. rolling operations) will not increase due to the project since the increased ingot production will replace ingot that has been historically purchased. Emission increases due to the project are estimated to be: 11.2 tpy CO, 7.7 tpy NO_x, 8.1 tpy PM, 9.6 tpy PM₁₀, 8.6 tpy PM_{2.5}, 0.1 tpy SO_x, & 1.5 tpy VOC. 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 requirements (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an operating permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

05-05021C: Creative Pultrusions, Inc. (214 Industrial Lane, Alum Bank, PA 15521-8304) to issue a Plan Approval for In-Mold coating on fiberglass finished pultrusion operation, to be incorporated as Source ID 101A at the Alum Bank plant located in West Saint Clair Township, **Bedford County**. The estimated maximum VOC emissions from this Plan Approval are approximately 12,371 tpy. The Plan Approval will include emission limits and work practice standards along with testing, monitoring, recordkeeping, and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from the following: The surface coating operation is subject to 25 Pa. Code §§ 129.52 and 129.52d, and 40 CFR 63 Subpart PPPP. The other sources are variously subject to the following Federal 40 CFR Part 63 regulations: Subpart WWW for reinforced plastic production, Subpart N for small hard chrome plating operation, and Subpart ZZZZ for emergency engines. Review by the Department indicates that the air contamination sources as constructed will comply with all regulatory requirements including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated

in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into the facility's Title V Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

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

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

49-00028A: Wildwood Cemetery Co. d/b/a Pomfret Manor Cemetery & Crematory (900 Packer Street, Sunbury, PA 17801) for the construction of a crematory unit at the Pomfret Manor Cemetery & Crematory facility located in the City of Sunbury, **Northumberland County**. The Department of Environmental Protection's (Department) review of the information submitted by Wildwood Cemetery Co. indicates that the air contamination source to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction. The emission from the proposed source included in this project will not exceed the following limits: particulate matter emissions from the crematory shall not exceed 0.08 grain per dry standard cubic foot of exhaust, corrected to 7% oxygen and 0.64 tpy, 0.64 tpy of particulate matter less than 10 microns, 0.30 tpy of sulfur oxides, 0.40 tpy of carbon monoxide, 0.49 tpy of nitrogen oxides, and 0.04 tpy of volatile organic compounds. In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: The particulate matter emissions from the crematory shall not exceed 0.08 grain per dry standard cubic foot of exhaust, corrected to 7% oxygen; The visible emissions from the crematory shall not equal or exceed 10% opacity for a period or periods aggregating more than 3 minutes in any one hour or equal or exceed 30% opacity at any time; The crematory shall only be fired on propane; Only human remains and associated containers, which are constructed of cardboard, particle-board or wood, shall be incinerated in the crematory. Under no circumstances shall the crematory be used for the incineration of hospital waste, infectious waste or any other type of waste other than human remains and associated containers; The crematory shall be equipped with instrumentation to continuously monitor and record the primary and secondary combustion chamber exit temperatures any time the crematory is in operation; The crematory shall be equipped with instrumentation to continuously monitor the opacity of the effluent gas any time the crematory is in operation; The crematory shall not be operated more than 3,640 hours in any 12 consecutive month period; A secondary combustion chamber temperature of at least 1,800°F shall be maintained for a residence time of at least one (1) second at any time that cremation is occurring in the crematory; The crematory shall be equipped with an interlock which prevents the primary combustion chamber burner from firing unless the secondary combustion chamber is at a temperature of at least 1,800°F; The crematory shall be equipped with an interlock which prevents the primary combustion chamber burner from firing and sounds an alarm any time the opacity of the visible emissions exceeds 10%; The charge door of the crematory shall be

kept shut during the cremation cycle except for short periods of time in order to inspect and/or reposition the remains; The permittee shall maintain accurate and comprehensive records of the primary and secondary combustion chamber temperature chart recordings as well as the number of hours of operation; The facility is a State Only facility. If 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 49-00028A, the requirements established in the plan approval will be incorporated into State Only Operating Permit 49-00028 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

03-269A: PulFlex Technologies, LLC (P.O. Box 7159, New Castle, PA 16107). The Department of Environmental Protection intends to issue a plan approval to PulFlex Technologies. The plan approval would provide authorization to change the method by which they operate existing equipment and to install new equipment at their facility in the Borough of Ford City, **Armstrong County**.

This is an existing facility which produces composite plastic products using non-HAP/VOC containing resins. The products are made from a fibrous substrate impregnated with resin using the pultrusion method. PulFlex currently has 3 pultrusion lines. This plan approval would authorize a change in the method by which the 3 existing lines are operated (now using VOC/HAP containing resin) and would authorize the construction of 7 new lines which use VOC/HAP containing resin.

The Plan Approval will contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Potential emissions from the facility (after completion of the proposed project): 11.0 tons per year (tpy) of VOC, 9.8 tpy of a single HAP species, 11.0 tpy of combined HAP emissions.

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

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [03-269A: PulFlex Technologies, LLC] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6819. Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by calling 814-332-6940, or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

25-954A: National Fuel Gas Supply Corp (6363 Main Street, Williamsville, NY 14221). The Department intends to issue a plan approval to National Fuel Gas Supply Corporation for authorization to construct and initially operate a replacement flare control device at their Summit Station facility in Summit Township, **Erie County**. This is an existing natural minor facility authorized by State Only Operating Permit 25-00954.

This project will not change the facility's applicability to State or Federal regulations (NSPS/NESHAP). No new regulations will come into effect and no current regulations will become non-applicable. This project will not trigger PSD or NSR program action. This facility will remain a natural minor after completion of the project. The new enclosed ground flare will control emissions from the same source(s) with a 98% efficiency.

The Plan Approval will, as necessary, contain testing, recordkeeping, emission restriction, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [25-954A: National Fuel Gas Supply Corp] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such

notification is sufficient. Written comments or requests for a public hearing should be directed to Eric Gustafson, 230 Chestnut St., Meadville, PA 16335; Phone (814) 332-6819. Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should be calling 814-332-6940, or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

In accordance with 25 Pa. Code § 127.45, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

OPERATING PERMITS

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

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

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

36-05019: Anvil International, LLC (1411 Lancaster Avenue, Columbia, PA 17512) for the malleable iron foundry in Columbia Borough, **Lancaster County**. The Title V Operating Permit is undergoing renewal combined with approval of a Reasonably Available Control Technology II (RACT II) plan.

The facility 2018 actual air emissions were 6.0 tons of CO, 11.4 tons of NO_x, 52.5 tons of PM₁₀, 0.6 ton of SO_x, 26.1 tons of VOC, and 1.0 ton of total HAPs. The Title V 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 requirements in the permit, certain sources at the facility are subject to the requirements of 40 CFR Part 64 (Compliance Assurance Monitoring), 40 CFR Part 63 Subpart ZZZZZ (National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources), and 25 Pa. Code § 129.52d (Control of VOC emissions from miscellaneous metal parts surface coating processes, miscellaneous plastic parts surface coating processes and pleasure craft surface coatings).

Also, in accordance with 25 Pa. Code §§ 129.91—129.100, the Department has made a preliminary determination to approve a RACT II plan to be submitted as part of the PA State Implementation Plan (SIP) for Anvil International's iron foundry.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT approval for the facility, which are intended to satisfy the requirements for the 1997, 2008 and 2015 National Ambient Air Quality Standards (NAAQS) for ozone.

The proposed RACT II plan, if approved by DEP, will be issued as part of the renewal of the facility's Title V operating permit (36-05019). The relevant RACT II requirements will also be submitted to the U.S. Environmental Protection Agency (EPA) for approval and incorporation into Pennsylvania's State Implementation Plan. Requirements that are not part of the RACT II approval will be excluded from the SIP submittal.

The proposed RACT II requirements for this facility that are proposed to be submitted to the EPA as part of

the SIP, are that Sources 199 (Annealing), 200 (Shell Core), 201 (Coremaking), 203 (Cold Box Coremaking), 501 (Disa Pouring/Casting), 503 (Disa Casting/Shakeout), 601 (Savelli Pouring/Casting) and 603 (Savelli Casting/Shakeout) shall comply with the following:

I. Requirements for all sources under this group

a.) The facility shall operate and maintain the pouring casting/cooling, annealing, shell core machines, coremaking, cold box coremaking, and shakeout operations in a manner consistent with good operating and maintenance practices. Good work practices include but are not limited to storing VOC-containing materials in closed tanks or containers, cleaning up spills, and minimizing cleaning with VOC compounds.

b.) The permittee shall demonstrate the VOC content of each binder and chemical used in the foundry operation by maintaining VOC data sheets from the manufacturer.

c.) The permittee shall maintain monthly records of the following. These records shall be maintained onsite for 5 years and shall be made available to the Department upon request.

i. The monthly amount of material processed in each source in tons, separately.

ii. The monthly emissions of VOC emissions, in tons, for each source, separately and combined.

d.) The permittee shall submit reports to the Department no later than March 1 of each year. Each report shall include the VOC emissions for the previous operating year (January 1 to December 31).

II. Additional requirements for source 203

a.) The permittee shall utilize the existing wet acid scrubber for controlling VOC emissions.

b.) The scrubber shall be in operation at all times when one or more of the coldbox coremaking machines are in operation.

c.) The permittee shall continuously measure and display the pressure drop across the scrubber, the scrubbing pH and the scrubber solution recirculation flow rate.

d.) The permittee shall maintain records of all maintenance performed on the scrubber. These records shall be kept at the facility for a period of 5 years and be made available to the Department upon request.

e.) The permittee shall record the following parameters once per week while the coldbox coremaking machine(s) are in operation: the pressure drop across the scrubber, the scrubbing pH and the scrubber solution recirculation flow rate. The permittee shall maintain these records for a period of 5 years and be made available to the Department upon request.

III. Source Specific Throughput Restrictions

a.) The resin coated sand consumption from source 200, the shell core operation, shall not exceed 1,950 tons per 1-month period.

b.) The resin coated sand consumption from source 201, coremaking, shall not exceed 1,500 tons per 1-month period.

c.) The metal throughput to source 199, annealing operations, shall not exceed 7,000 tons per 1-month period.

d.) The throughput to sources 501, 503, 601, 603, foundry operations, shall not exceed 20,500 tons of metal per 1-month period.

e.) The resin consumption from source 203, coldbox coremaking operations, shall not exceed 7.6 tons per 1-month period.

Public Comment Details:

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 Vincent Pascucci, Air Quality Engineering Specialist, Air Quality Permitting, 400 Market Street, Harrisburg, PA 17101. A 30-day comment period from the date of publication of this notice 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 RACT II Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT II Plan.

Public Hearing: A public hearing will be held on January 14, 2020, at 10:00 a.m. at the DEP Central Office, 400 Market Street, Harrisburg, PA 17101, to accept oral comments on the proposed permit action and the proposed SIP revision. To register to speak at the hearing, please contact Vincent Pascucci at 717-772-3375. Speakers must pre-register in order to testify at the hearing. The last day to pre-register to speak at the hearing will be January 7, 2020.

Oral testimony at the hearing will be limited to a maximum of 5 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Vincent Pascucci at 400 Market Street, Harrisburg, PA 17101.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Central Office at 400 Market Street, Harrisburg, PA 17101. Appointments for scheduling a review may be made by calling Vincent Pascucci at 717-772-3375.

Individuals who are in need of an accommodation for the hearing as provided for in the Americans with Disabilities Act should contact Vincent Pascucci at 717-772-3375 or make accommodations through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

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

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

65-00181: Chestnut Ridge Foam, Inc. (443 Warehouse Drive, Latrobe, PA 15650-3573). Approval of a Title V to Synthetic Minor State-Only Operating Permit Renewal and Reasonably Available Control Technology (RACT II) plan for Chestnut Ridge Foam, Inc. located in Derry Township, **Westmoreland County**.

In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a renewed synthetic minor State-Only Operating Permit (OP-65-00181) to Chestnut Ridge Foam, Inc. to authorize the continued operation of a specialty foam manufacturing facility. The facility is currently operating under Title V Operating Permit 65-00181, and the permittee has elected to take a facility-wide limit not to equal or exceed 50.0 TPY VOC to become a synthetic minor.

The facility consists of the following sources:

Source 031 350-HP Gas-Fired Boiler (11.7 MMBtu/hr)
 Source 032 300-HP Gas-Fired Boiler (10.0 MMBtu/hr)
 Source 101 Dip Line—Coating of Urethane Foam
 Source 102 Ross Line Foam Fabrication
 Source 103 Lamination Line
 Source 104 Urethane Line—Parts Molding
 Source 105 Glue Tables—Solvent Usage
 Source 106 Waterproofing Process
 Source 107 (6) Box Dryers
 Source 108 JI Line—Foam Fabrication
 Source 109 Foam 1 Polyurethane Bun Molder
 Source 110 Low-Pressure Molded Polyurethane Line (Graphite Line)

The facility also includes miscellaneous combustion sources and storage tanks.

The facility has potential emissions of 15.1 TPY NO_x; 7.8 TPY CO; 59.0 TPY VOC; < 0.1 TPY SO_x; 0.4 TPY PM₁₀; 0.4 TPY PM_{2.5}; 20.21 TPY HAP total; 9.95 TPY single HAP for hexane; and 16,079 TPY for CO_{2e}. The facility has reported actual emissions in 2018 of 3.8 TPY NO_x; 0.7 TPY CO; 9.2 TPY VOC; < 0.1 TPY SO_x; 0.3 TPY PM₁₀; 0.3 TPY PM_{2.5}; 8.8 TPY HAP total; 4.7 TPY single HAP for hexane; and 3,467 TPY for CO_{2e}. The permit includes requirements to limit VOC emissions to not equal or exceed 50.0 TPY so that the facility may be permitted as a synthetic minor. Emission limits, operating requirements, and work practice standards along with monitoring, recordkeeping, and reporting requirements have been included in this proposed synthetic minor State-Only Operating Permit to ensure that the facility complies with all applicable Federal and State air quality regulations.

Furthermore, in accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve a RACT II plan and an amendment to the State Implementation Plan (SIP) for the aforementioned facility. The facility is not subject to any RACT II requirements for NO_x.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997, 2008, and 2015 National Ambient Air Quality Standard (NAAQS) for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a renewed and revised operating permit 65-00181 for the facility. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

<i>Source</i>	<i>RACT II Requirement</i>	<i>SOOP No. 65-00181 Condition No.</i>
Source 101—Dip Line— Coating of Urethane Foam	The owner or operator shall install, maintain, and operate the source in accordance with the manufacturer's specifications and with good operating practices.	Section E, Source Group Case-by-Case RACT, Condition # 002
	The permittee shall maintain records of compliance demonstration consistent with 25 Pa. Code § 129.100(d).	Section E, Source Group Case-by-Case RACT, Condition # 001
Source 102—Ross Line Foam Fabrication	The owner or operator shall install, maintain, and operate the source in accordance with the manufacturer's specifications and with good operating practices.	Section E, Source Group Case-by-Case RACT, Condition # 002
	The permittee shall maintain records of compliance demonstration consistent with 25 Pa. Code § 129.100(d).	Section E, Source Group Case-by-Case RACT, Condition # 001
Source 104—Urethane Line—Parts Molding	The owner or operator shall install, maintain, and operate the source in accordance with the manufacturer's specifications and with good operating practices.	Section E, Source Group Case-by-Case RACT, Condition # 002
	The permittee shall maintain records of compliance demonstration consistent with 25 Pa. Code § 129.100(d).	Section E, Source Group Case-by-Case RACT, Condition # 001

Public hearing. A public hearing will be held on January 15, 2020, from 9:30 to 10:00 a.m. at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To register to speak at a hearing, or to inquire if a hearing will be held, please contact Thomas Joseph at 412-442-4336. The last day to pre-register to speak at the hearing will be January 7, 2020. If we do not receive any pre-registered speakers by this date, the hearing will be cancelled.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at <https://www.dep.pa.gov/About/Regional/SouthwestRegion/Community%20Information/Pages/default.aspx>. We ask that you contact Thomas Joseph at 412-442-4336 or monitor our website to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Thomas Joseph at 412-442-4336 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit three (3) copies of a written statement and exhibits within 10 days thereafter to Mark Gorog, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222.

Persons wishing to file a written protest or provide comments or additional information may submit the information to Mark Gorog, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A 30-day comment period from December 7, 2019 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 RACT II Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to the RACT II Plan or the operating permit renewal.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review may be made online at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx> or by calling the Department at 412-442-4000.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Lauren Fraley at 412-442-4203 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6328.

42-00004: In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve an alternative Reasonably Available Control Technology (RACT II) plan and seeks an approval of an amendment to the State Implementation Plan (SIP) for **American Refining Group**, in Bradford Township, **McKean County**. And in accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection intends to revise a Title V Operating Permit for the facility. The facility is located at 77 N. Kendall Ave, Bradford, PA 16701. The facility's representative to contact concerning this application is Mr. Jason Goodling, HES&S Manager. His phone number is 814-368-1223.

The facility is primarily used for the processing of petroleum products. The facility's air emission sources include boilers, process heaters, flares, tanks, waste water treatment, emergency generators, and other ancillary equipment.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997, 2008 and 2015 National Ambient Air Quality Standard (NAAQS) for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a revised operating permit (42-00004) for the facility. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal; this includes the provisions of the Department's presumptive RACT II requirements in accordance with 25 Pa. Code § 129.97, as they apply to existing sources at this facility.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

Source	RACT II Requirement
Source 033—Boiler 3	NO _x emissions shall not exceed 0.325 lb/MMBtu heat input. Perform an annual adjustment or tune-up including inspection adjustment, cleaning, or replacement of fuel burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer.
Source 034—Boiler 4	NO _x emissions shall not exceed 0.325 lb/MMBtu heat input. Perform an annual adjustment or tune-up including inspection adjustment, cleaning, or replacement of fuel burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer.
Source 041—Crude Unit Heater	NO _x emissions shall not exceed 12.25 lb/hr
Source 043—Platformer Heater	NO _x emissions shall not exceed 0.25 lb/MMBtu
Source 1001—Hydrotreater Unit	VOC testing once every five years. Maintain records of all preventative maintenance inspections of the source. Record throughput of diesel fuel processed by the hydrotreater on a daily basis. Maintain a record of the date and time of: (a) the hydrotreater is operating; (b) The LO-CAT is operating; (c) the hydrotreater is shutdown; (d) The LO-CAT is shutdown. Daily operational inspection of the source.

Public hearing. If requested by January 6, 2020, a public hearing will be held at 10 a.m. on January 14, 2020, to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Tom Decker at 814-332-6615. The last day to pre-register to speak at a hearing, if one is held, will be January 6, 2020. If we do not receive any pre-registered speakers by this date, the hearing will be cancelled.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at: <http://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>.

We ask that you contact Tom Decker, Environmental Community Relations Specialist at 814-332-6615 or monitor our website to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Tom Decker at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and 2 written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit 3 copies of a written statement and exhibits within 10 days thereafter to Eric A. Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

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 Eric A. Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. A 30-day comment period from December 7, 2019, will exist for the submission of comments, protests and information. Each submission must contain the following information: name, address and telephone number of the person submitting the comments; identification of the proposed permit number 42-00004; and concise statements regarding the relevancy of the information or objections to issuance of the permit or the proposed RACT II Plan.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Appointments for scheduling a review may be made by calling the Department at 814-332-6078.

Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodations to do so should contact Tom Decker, Environmental Community Relations Specialist, at 814-332-6615 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

43-00142: Salem Tube, Inc. (951 4th St, Greenville, PA 16125-8253). The Department is providing notice that they intend to renew a Title V Operating Permit for operation of the Greenville Reynolds Industrial Park facility located in Pymatuning Township, **Mercer County**. The facility's primary emission sources include the degreasing system boiler, miscellaneous natural gas

usage, the pickling tank boiler, TCE (trichloroethylene) degreasing system, three (3) annealing furnaces, general solvent cleaning, lubricating operations, TCE storage tanks, a parts cleaner/solvent degreaser, a batch pickling tank, a vacuum cleaning and degreasing machine controlled by carbon adsorption and a barrel carbon filter, groundwater TCE clean-up, and three (3) emergency generator engines. The potential emissions of the primary pollutants from the facility are as follows: 12.17 TPY (tons per year) NO_x, 8.35 TPY CO, 79.70 TPY VOC, 57.46 TPY total HAPs, 57.25 TPY TCE, 0.75 TPY PM₁₀ and PM_{2.5}, and 0.06 TPY SO_x; thus, the facility is a major stationary source for emissions of VOC, total HAPs, and a single speciated HAP (TCE). The boilers are subject to 40 CFR 63 Subpart DDDDD, NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. The TCE degreasing system and vacuum cleaning/degreasing machine are subject to 40 CFR 63 Subpart T, NESHAP for Halogenated Solvent Cleaning. Two of the three natural gas-fired emergency generator engines are subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The TCE degreasing system, vacuum cleaning/degreasing machine, and parts cleaner/solvent degreaser are exempt from RACT II analysis; as stated in 25 Pa. Code § 129.96(a), requirements have been established in § 129.63. The renewal permit will contain emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

Contact: Thomas Huynh, Chief—Telephone: 215-823-7584.

OP16-000039: Veolia Energy Philadelphia—Schuylkill Station (2600 Christian Street, Philadelphia, PA 19146) for the operation of boilers and parts degreasing stations at a steam generating facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a tangential fired boiler rated 795 MMBtu/hr that uses No. 6 oil as primary fuel and No. 2 oil for ignition, a front wall fired boiler rated 761 MMBtu/hr that operates on No. 6 oil and natural gas, and three parts degreasing stations that use non-halogenated solvents. The facility is a major source of Nitrogen Oxides (NO_x).

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

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

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 Tullock-Reid, New Source Review Chief—Telephone: 610-832-6242.

46-00052: Pottstown Hospital LLC, dba Pottstown Hospital (1600 E High Street, Pottstown, PA 19464) for operation of a general medical and surgical hospital in Pottstown Borough, **Montgomery County**. The renewal permit is for a non-Title V (State only) facility. The major sources of air emissions are: three (3) natural gas/No. 2 fuel oil-fired boilers and five (5) diesel-fired emergency generators. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Southcentral Region: Air Quality Program, 909 Elmer-ton Avenue, Harrisburg, PA 17110.

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

07-03008: Nason Medical Center, LLC (105 Nason Drive, Roaring Spring, PA 16673) to issue a State Only Operating Permit for the hospital facility located in Roaring Spring Borough, **Blair County**. The subject facility has the potential-to-emit 18.28 tpy CO, 48.04 tpy NO_x, 5.08 tpy PM₁₀/PM_{2.5}, 7.28 tpy SO_x, 2.5 tpy VOC, and 0.25 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines and 40 CFR 63 Subpart WWWW—National Emission Standards for Hospital Ethylene Oxide Sterilizers.

07-03018: Central PA Humane Society (1837 East Pleasant Valley Blvd., Altoona, PA 16602) to issue a State Only Operating Permit for a natural gas fired animal crematory at the facility located in Logan Township, **Blair County**. The potential emissions from the facility are estimated at: 2.45 tons per year NO_x, and 0.31 ton per year PM. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

55-00024: Conestoga Wood Specialties Corporation (P.O. Box 158, East Earl, PA 17519-0158). The Department intends to issue a renewal State Only Permit for their Beaver Spring Plant in Spring Township, **Snyder County**. The facility is currently operating under State Only Permit No. 55-00024 issued on December 1, 2014. There were several changes to the facility-wide source operations since the previous permit was issued. All the changes were approved via Request for Determinations and are incorporated into the renewal permit. Updated

facility-wide Potential to Emit calculations for nitrogen oxides (NO_x, expressed as NO₂), carbon monoxide (CO), volatile organic compounds (VOCs), sulfur dioxide (SO₂), PM₁₀ & PM_{2.5}, and hazardous air pollutants (HAPs) are, as follows: NO_x: 0.01 ton per year (tpy); CO: 0.01 tpy; VOC: 8.6 tpy; SO₂: 0.01 tpy; PM₁₀ & PM_{2.5}: 69 tpy; and HAPs: 1 tpy. The emission limits, throughput limitations and work practice standards along with testing, monitoring, recordkeeping and reporting requirements have been included in the renewal permit to ensure the facility complies with all applicable air quality regulations. Based on the information provided in the permit renewal application submittal, all applicable air quality regulatory requirements pertaining to this facility's air contaminant sources located have been incorporated into the renewal permit, including testing, monitoring, recordkeeping, reporting and work practice conditions to verify compliance with the applicable requirements. The applicable requirements were derived from 25 Pa. Code Article III, Chapters 121—145, including 40 CFR Parts 60 and 63. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.0550.

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

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

63-00916: Perryman Company (213 Vandale Drive, Houston, PA 15342). In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Perryman Company to authorize the continued operation of their titanium wire manufacturing facility located in the North Strabane Township, **Washington County**.

The facility consists of a titanium pickling line, straighteners, shot blast cabinets, grit blast cabinets, spray booth, an emergency generator, abrasive saw, acid storage tanks and other miscellaneous equipment associated with this type of operation. There are two scrubbers to control emissions from the pickling line and acid storage tank and several dust collectors to control particulate emissions. This facility has the potential to emit 0.56 ton per year of PM₁₀, 1.2 ton per year of NO_x and 0.2 ton per year of HF. The proposed SOOP contains emission restriction, testing, monitoring, recordkeeping, reporting and work practice standards derived from the applicable requirements of 25 Pa. Code Article III, Chapters 121—145.

A person may oppose the proposed State Only Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed State Only Operating Permit (63-00916) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Perryman Company State Only Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested

party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Perryman Company State Only Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Noor Nahar at nnahar@pa.gov or 412.442.5225.

All comments must be received prior to the close of business 30 days after the date of this publication.

OP-11-00510: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). In accordance with 25 Pa. Code §§ 127.441 and 127.425, the Department is providing notice that they intend to issue a renewed, facility-wide, State Only Operating Permit for the continued operation of a coal preparation plant, known as the Madison Deep Mine Coal Preparation Plant, located in Jackson Township, **Cambria County**.

Raw coal feed at the Madison Deep Mine Coal Preparation Plant is limited to a maximum of 900,000 tons per year. The preparation plant contains air contamination sources for unloading, screening, storing, and loading coal. It has stockpiles to supply and store coal, a radial stacker for the clean coal stockpile, a screen, and roads. The facility also contains two, 610-bhp and 470-bhp, each, emergency diesel engines. Air pollution prevention equipment at the facility includes enclosures, minimization of drop height, and watering of roads and material.

Annual potential emissions are 9.9 tons of PM₁₀, 2.0 tons of PM_{2.5} and less than 1.0 ton each of NO_x and CO. Sources at the Madison Deep Mine Coal Preparation Plant are subject to 40 CFR Part 60, Subpart A—General Provisions, 40 CFR Part 60, Subpart Y—New Source Performance Standards for Coal Preparation Plants, 40 CFR Part 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, 40 CFR Part 63, Subpart A—General Provisions, and 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Sources are also subject to 25 Pa. Code Chapters 121—145. The permit includes emission limitations and operational, monitoring, reporting, and recordkeeping requirements for the plant.

The application, the DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this Title V Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify Operating Permit SOOP-11-00510), and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing

an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

OP-03-00229: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). In accordance with 25 Pa. Code §§ 127.441 and 127.425, the Department is providing notice that they intend to issue a renewed, facility-wide, State Only Operating Permit for the continued operation of a coal preparation plant, known as the Logansport Mine Coal Preparation Plant, located in Bethel Township, **Armstrong County**.

Raw coal feed at the Logansport Mine Coal Preparation Plant is limited to a maximum of 2,500,000 tons per year. The preparation plant contains air contamination sources for unloading, screening, sizing, desliming, storing, and loading coal. Coal processing equipment includes dry screens to sort the coal into 3/4" plus and minus fractions. The larger fraction is sent through a wet sizer. The smaller fraction is sent through a desliming screen. It also has radial stackers, stacking tubes, and stockpiles for production surges, malfunctions, raw coal, specific clean coal sizes, and reject. The facility also contains two 755-bhp emergency diesel engines. Air pollution prevention equipment at the facility includes enclosures, minimization of drop height, and watering of roads and material.

Annual potential emissions are 9.6 tons of PM₁₀, 5.0 tons of PM_{2.5} and less than 1.0 ton each of NO_x and CO. Sources at the Logansport Mine Coal Preparation Plant are subject to 40 CFR Part 60, Subpart A—General Provisions, 40 CFR Part 60, Subpart Y—New Source Performance Standards for Coal Preparation Plants, 40 CFR Part 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, 40 CFR Part 63, Subpart A—General Provisions, and 40 CFR Part 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. Sources are also subject to 25 Pa. Code Chapters 121—145. The permit includes emission limitations and operational, monitoring, reporting, and recordkeeping requirements for the plant.

The application, the DEP's Review Memorandum, and the proposed permit are available for public review during normal business hours at DEP's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. A file review can be scheduled through the DEP's website at <https://www.dep.pa.gov/Citizens/PublicRecords/Pages/Informal-File-Review.aspx>.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of this Title V Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify Operating Permit SOOP-03-00229), and con-

cise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

32-00438: Rairigh-Bence Funeral Home (965 Philadelphia Street, Indiana, PA 15701). The Department intends to issue the Natural Minor Operating Permit to operate a human cremator in Indiana Borough, **Indiana County**. The facility's primary emission source is a cremator installed in December 2016. The conditions of the previous plan approval were incorporated into the permit. The cremator is fired with natural gas and is controlled by an afterburner rated at 2 MMBtu/hr. Particulate matter from the exhaust is restricted to 0.08 grain per dry standard cubic foot, corrected to 7% oxygen. The potential PM, CO, SO_x, NO_x, and VOC emissions are 1.02 TPY, 1.8 TPY, 0.35 TPY, 0.66 TPY, and 0.45 TPY, respectively based on an operational restriction of 3,744 hours in any consecutive 12-month period.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); 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); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). 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 of Environmental Protection. A copy of the application is available for inspection at the District Mining Office indicated above 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 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 above each application within 30-days of this publication, or within 30-days after the last publication of the appli-

cant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121-123 and 86.31-34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Written comments or objections related to 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.

Requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), 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.

Where a National Pollutant Discharge Elimination System (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:

Table 1

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
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 ¹		greater than 6.0; less than 9.0	

Alkalinity greater than acidity¹

¹ 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.

30841316 and NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC (1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317). To revise the permit for the Bailey Mine & Prep Plant in Richhill, Center, Morris, and Gray Townships, **Greene County** and related NPDES Permit for development mining. Underground Acres Proposed 4,732.00, Subsidence Control Plan Acres Proposed 4,732.00. No additional discharges. The application was considered administratively complete on October 30, 2019. Application received: September 25, 2019.

32743710 and NPDES No. PA0214884. Helvetia Coal Company (1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317). To renew the permit for the Refuse Disposal Area No. 1 in Center Township, **Indiana County** and related NPDES Permit. No additional discharges. The application was considered administratively complete on October 31, 2019. Application received: October 10, 2019.

32840701 and NPDES Permit No. PA0092193. Tanoma Coal Company, Inc., 957 Georges Station Road, Suite 900, Greensburg, PA 15601, to renew the permit and related NPDES Permit for the Tanoma Refuse Area No. 2 in Rayne Township, **Indiana County**. No additional discharges. The application was considered administratively complete on November 21, 2019. Application received: November 4, 2019.

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

29160101 and NPDES No. PA0279285. J&J Svonavec Excavating, Inc., 110 Windermere Lane, Somerset, PA 15501, commencement, operation and restoration of a bituminous surface mine to revise the previously listed referenced surface mine permit to allow for the beneficial use of biosolids for site reclamation in Wells & Broad Top Townships, **Fulton & Bedford Counties**, affecting 66.0 acres. Receiving stream(s): Great Trough Creek classified for the following use(s): TSF. There are no potable water supply intakes within 10 miles downstream. Application received: November 20, 2019.

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

Permit No. 54931601C4. Sherman Coal Co., Inc. (P.O. Box 93, Elysburg, PA 17824) correction of an existing anthracite preparation plant operation to add 2.4 acres for a total of 16.6 acres in Frailey Township, **Schuylkill County**, receiving stream: Middle Creek, classified for the following use: cold water fishes. Application received: October 17, 2019.

Permit No. 54840209R7. Mazaika Coal Company (689 Fairview Street, Tamaqua, PA 18252) renewal of an existing anthracite coal refuse reprocessing and preparation plant operation in Rush Township, **Schuylkill County** affecting 24.0 acres, receiving stream: Little Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: October 22, 2019.

Permit No. 19000201C7. Mid-Valley Coal Sales, Inc. (212 West Cherry Street, Mt. Carmel, PA 17851) correction to an existing anthracite coal refuse reprocessing and coal refuse disposal operation to include surface mining in

Conyngham Township, **Columbia County** affecting 343.0 acres, receiving stream: North Branch Shamokin Creek, classified for the following uses: cold water and migratory fishes. Application received: October 22, 2019.

Permit No. 54910206R5. Rausch Creek Coal Preparation Lykens, LLC (978 Gap Street, Valley View, PA 17983) renewal of an existing anthracite coal refuse reprocessing operation in Tremont Township, **Schuylkill County** affecting 190.0 acres. Receiving streams: Stump Creek and Lorberrry Creek, classified for the following uses: cold water and migratory fishes. Application received: November 4, 2019.

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

03070103 and NPDES Permit No. PA0251160. Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Revision application for land use change from forestland to pastureland/land occasionally cut for hay to an existing bituminous surface mine, located in Redbank Township, **Armstrong County**, affecting 127.9 acres. Receiving streams: unnamed tributaries to Pine Run and unnamed tributaries to Nye Branch, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: October 30, 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.

21192801. Weaver Hauling & Excavating, LLC, 688 Walnut Bottom Road, Shippensburg, PA 17257, commencement, operation, and restoration of a small noncoal (industrial minerals) operation in North Newton Township, **Cumberland County**, affecting 5.0 acres. Receiving stream(s): unnamed tributary to Green Spring Creek to Bulls Head Branch classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 12, 2019.

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

14022801. Cynthia E. Russell (208 Laurel Run Road, Curwensville, PA 16833). Howard Township, **Centre County**. Restoration of 15.0 acres completed. Receiving stream(s): Lick Run. Application received: October 23, 2019.

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

03122001. Allegheny Mineral Corporation, P.O. Box 1022, Kittanning, PA 16201, revision application to add acres in West Franklin, Winfield and Clearfield Townships, **Armstrong and Butler Counties**, affecting 1,528.2 acres. Receiving stream(s): unnamed tributaries to Buffalo Creek & Long Run; Buffalo Creek & Long Run classified for the following use(s): HQ-TSF. The first downstream potable water supply intake from the point of discharge is Creekside Mushrooms, Ltd. Application received: November 15, 2019.

2969BSM24 and NPDES No. PA0252018. Potato Ridge, LLC, 746 Westland Drive, Suite 100, Lexington, KY 40507 NPDES renewal application for continued treatment in Stewart Township, **Fayette County**, affecting 169.8 acres. Receiving stream(s): unnamed tributary to Laurel Run classified for the following use(s): HQ-CWF. Application received: November 19, 2019

Coal NPDES Draft Permits

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

NPDES No. PA0608238 (Mining Permit No. 56763114) Svonavec, Inc., 2555 New Centerville Road, Rockwood, PA 15557, renewal of an NPDES permit for a surface coal operation with sandstone removal and stone crushing facility in Milford Township, **Somerset County**, affecting 96.8 acres. Receiving stream(s): unnamed tributaries to South Glade Creek classified for the following use(s): WWF. This receiving stream is included in the Casselman River TMDL. Application received: November 1, 2019.

All sediment pond outfalls in this permit are the BAT limits described previously for coal mining activities in accordance with the Casselman River TMDL Report.

The following outfalls discharge to unnamed tributaries to South Glade Creek:

Outfall Nos.	New Outfall (Y/N)
001 (Treatment Pond T-1)	N
002 (Sediment Pond P-1)	N
005 (Treatment Pond T-2)	N
006 (Sediment Pond P-4)	N

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

<i>Outfalls: 001 (Treatment Pond)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	1.5	3.0	3.5
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

Alkalinity must exceed acidity at all times.

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

<i>Outfalls: 005 (Treatment Pond)</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.5	3.0	3.7
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

Alkalinity must exceed acidity at all times.

NPDES No. PA0212806 (Permit No. 32940105), Consol Mining Company, LLC, 1000 Consol Energy Drive, Canonsburg, PA 15317, renewal of an NPDES permit for bituminous surface mine in Center Township, **Indiana County**, affecting 2.2 acres. Receiving stream(s): unnamed tributary to Yellow Creek, classified for the following use(s): CWF. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: October 9, 2019.

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

The following outfall listed discharges to unnamed tributary to Yellow Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
009	N

There are no point source discharges remaining on this permit. This mine site is hydrologically connected to substandard discharges for which there is no responsible party. The permittee has incurred a perpetual treatment obligation for this discharge. Pursuant to 25 Pa. Code § 87.201, effluent limits for outfall 009 are based upon the existing baseline pollution load, or the standards found at 25 Pa. Code § 87.102(a) Group A, whichever is least stringent.

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

NPDES No. PA0278416 (Mining Permit No. 26-16-03), Fayette Coal and Coke, Inc., 195 Enterprise Lane, Connellsville, PA 15425. New NPDES permit for Government Financed Construction Contract in Franklin Township, **Fayette County** affecting 22.5 acres. Receiving stream(s): UNT to Bolden Run classified for the following use: WWF. The receiving stream is subject to the Redstone Creek Total Maximum Daily Load. The first downstream potable water intake from the point of discharge is PWS 5260014, Newell Municipal Authority. Application received: September 30, 2019.

The following treated wastewater outfall discharges to UNT D to Bolden Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002	Y	Treatment Facility Outfall

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

<i>Outfall: 002</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	1.0	2.0	2.5
Total Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfates (mg/L)		Monitor & Report	

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

Alkalinity must exceed acidity at all times.

The following stormwater outfall discharges to UNT D to Bolden Run:

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

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

<i>Outfall: 001</i> <i>Parameter</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
Total Iron (mg/l)	1.5	3.0	3.7
Total Manganese (mg/l)	1.0	2.0	2.5
Total Aluminum (mg/l)	0.75	0.75	0.75

<i>Outfall: 001 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfates (mg/L)		Monitor & Report	

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

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

NPDES No. PA0279340 (Mining Permit No. 31140301), U.S. Silica Company, 12942 Oriskany Road, Mapleton Depot, PA 17502, renewal of an NPDES permit for a sandstone quarry in Brady Township, **Huntingdon County**, affecting 55.9 acres. Receiving stream(s): unnamed tributaries to Mill Creek, classified for the following use(s): TSF. Application received: November 1, 2019.

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

The following treated wastewater outfall discharges to unnamed tributary to Mill Creek:

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

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

<i>Outfalls: 003A Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.6	3.2	4.0
Aluminum (mg/l)	0.79	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

The following stormwater outfalls discharge to unnamed tributaries to Mill Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004A	N
005A	N

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

<i>Outfalls: 004A (All Weather) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.6	3.2	4.0
Aluminum (mg/l)	0.79	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

<i>Outfalls: 005A (All Weather) Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	2.4	4.8	6.0
Aluminum (mg/l)	0.79	1.5	1.9
Total Suspended Solids (mg/l)	35.0	70.0	90.0

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

NPDES No. PA0599417 (Mining Permit No. 56920301), New Enterprise Stone & Lime Company, Inc., P.O. Box 77, New Enterprise, PA 16667, renewal of an NPDES permit for a stone quarry in Ogle Township, **Somerset County**, affecting 111.8 acres. Receiving stream(s): unnamed tributaries to Clear Shade Creek, classified for the following use(s): EV. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: July 16, 2019.

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

The following stormwater outfalls discharge to unnamed tributary to Clear Shade Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002	N
004	N

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

<i>Outfalls: 002 and 004 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.

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 of Environmental Protection. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341), requires the State to certify that the involved projects will not violate the applicable provisions of 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 or to the issuance of a Dam Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30-days of the date of this notice, as well as any questions to the office noted above the 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 the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1-800-654-5984.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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 of the Federal Water Pollution Control Act (33 U.S.C.A. §§ 1341(a)).

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

Contact: Elaine Henderson, Clerk Typist 3, 484.250.5157.

Permit No. E15-916, East Goshen Township, 1580 Paoli Pike, West Chester, PA 19380, East Goshen Township, **Chester County**; ACOE Philadelphia District.

To perform the following listed water obstruction and encroachment activities associated with the Paoli Pike Shared Use Path. The proposed project consists of the construction of approximately 730 linear feet of a 10-foot wide shared path adjacent to Paoli Pike and the extension of a 60" diameter culvert. The proposed path will consist of pervious asphalt pavement. The construction of the culvert extension and associated grading will result in 780 SF of permanent stream impact and 9,917 SF of permanent floodplain impact (unnamed tributary to East Branch Chester Creek, TSF, MF).

The site is approximately at Paoli Pike between Airport Road and Ellis Lane. (West Chester Lat. 39° 58' 57"; Long. 75° 33' 57") in East Goshen Township, Chester County.

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Melissa Seidler, Clerk Typist 2, 570-830-3048.

E3902219-009. Upper Saucon Township, 5500 Camp Meeting Road, Center Valley, PA 18034, in Upper Saucon Township, **Lehigh County**; U.S. Army Corps of Engineers, Philadelphia District.

To install and maintain a utility line crossing of 8 linear feet of a UNT to Saucon Creek (CWF, MF) and 78 linear feet of adjacent PFO wetlands (EV). The utility line crossing will consist of a 2-inch diameter SDR-26 sewer force main to be installed via horizontal directional drilling. The project is located on the left of Oakhurst Drive 1.0 mile after the intersection of the Old Bethlehem Pike (T-835) and Oakhurst Drive (Allentown East, PA Quadrangle Latitude: 40° 33' 59" Longitude: -75° 24' 19.0") in Upper Saucon Township, Lehigh County.

E4502219-005. Charles Marianik, 114 Trout Creek Drive, Pocono Lake, PA 18347, in Coolbaugh Township, **Monroe County**; U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 100 sq. ft., wave armor (molded, UV protected polyethylene), recreational dock in Arrowhead Lake (EV, MF). The project is located at Lot 24, Block A-41, Section 9 of the Arrowhead Lake subdivision, located in Coolbaugh Township, Monroe County. Quadrangle Latitude: 41° 09' 26.0" Longitude: -75° 33' 40.0".

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Edward Muzic, Section Chief, 717.705.4802.

E2103219-001: Stephen J. Capone, 70 Lindsay Lane, Carlisle, PA 17013 in South Middleton Township, **Cumberland County**; ACOE Baltimore District.

The applicant proposes to construct and maintain a 12-foot wide by 25-foot long steel beam bridge spanning over LeTort Spring Run (EV-HQ, Migratory Fish) for the purpose of gaining vehicle tractor access to all portions of the property. The project is located in South Middleton Township, Cumberland County (Latitude: 40° 10' 22.9"; Longitude: -77° 11' 21.2"). No wetland impacts are proposed.

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

E0804119-014, PA DOT Engineering District 3-0, 715 Jordan Ave., Montoursville, PA 17754. SR 4017, Section 028, Segment 0010, Offset 1266 through Segment 0020, Offset 0466, Slope Failure Restoration, Troy Township, **Bradford County**; Baltimore ACOE (East Troy, PA Quadrangle N: 41° 46' 30"; W: -76° 43' 59").

PA DOT propose to restore a roadway slope failure adjacent to Leonard Creek. The roadway failure will result in approximately 1,026 L.F. of R-8 Rip Rap Slope. The 1.1:1 side slope will be grouted to above the 100-year water surface elevation of Leonard Creek. The Rip Rap slope will restore the roadway side slope to Pre-Flood location. The project will include the replacement of a 48-inch pipe in kind. The project will utilize a temporary diversion to construct the Rip Rap slope. A detour will be utilized to convey traffic during construction. The project will temporarily impact 0.01 acre and permanently impact 0.03 acre of jurisdictional wetlands. Leonard Creek is classified as a Cold-Water Fishery by 25 Pa. Code Chapter 93 Water Quality Standards.

Southwest Region: Dana Drake, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

E02052-1822, Clairton Municipal Authority, 1 North State Street, Clairton, PA 15025, Clairton City, **Allegheny County**; Pittsburgh ACOE District.

The applicant proposes to:

Upgrade, convert and maintain existing wastewater treatment plant. Construct and maintain approximately 60 linear feet of new aeration cascade for CSO bypass treatment discharge into Peters Creek (TSF). Construct and maintain approximately 60 linear feet of new access stairs, construct and maintain new D-W End Wall, replace and maintain approximately 55 linear feet of existing 30" ductile iron pipe.

The project will permanently impact approximately 30 ft wide by 30 ft long floodway of Peters Creek (TSF).

No mitigation is required for this proposed project.

The project site is located 1 North State Street, Clairton, PA 15025 (Glassport, PA USGS topographic quadrangle; N: 40°, 18', 16.2267"; W: -79°, 53', 3.3446"; Sub-basin 19A; USACE Pittsburgh District), in Clairton City, Allegheny County.

E02052-1824, CE—Gregg Station LP, P.O. Box 453, Carnegie, PA 15106, Collier Township, **Allegheny County**; Pittsburgh ACOE District.

The applicant proposes to:

1. Construct and maintain a 250-linear foot, 36" SLCPP culvert, conveying a UNT to Robinson Run (WWF), which will impact 300-linear feet of watercourse.

2. Place and maintain fill in 0.04-acre of Wetland 3B (PFO).

3. Place and maintain fill in 0.03-acre of Wetland 4 (PEM).

4. Place and maintain fill in 0.17-acre of floodway of a UNT to Robinson Run.

For the purpose of expanding a 68-lot residential development to 70-lots. The project will cumulatively impact 300-linear feet of watercourse and 0.07-acre of wetland. As part of the project mitigation, 220-linear feet of stream enhancement and 0.19 acre of wetland construction are proposed.

The project site is located on Gregg Station Road off the intersection of Gregg Station Road and Nike Site Road (Oakdale, PA USGS topographic quadrangle; N: 40°, 24', 21"; W: -80°, 09', 26"; Sub-basin 20F; USACE Pittsburgh District), in Collier Township, Allegheny County.

E02051-1828, PennDOT District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017, Bridgeville Borough, South Fayette Township, **Allegheny County**; Pittsburgh ACOE District.

The applicant proposes to:

Remove the existing SR 0050 Bridge superstructure over Chartiers Creek, having a drainage area of 165 mi² (Impact 1). The existing bridge out-to-out width is approximately 57.75-feet and consists of 14 prestressed concrete adjacent box beams (48" wide × 54" deep) and a 5" minimum composite concrete deck. The existing abutments will remain and have a normal clear span of about 127-feet. The temporary disturbance associated with the project consists of about 380-feet for construction access roads parallel to the stream and underneath the bridge on either side of the channel.

To construct and maintain the bridge superstructure, widened abutments, and scour protection for the SR 0050 Bridge over Chartiers Creek, having a drainage area of 165 mi² (Impact 2). The total out-to-out width will be 89.13-feet and will be widened a total of 31.38-feet from the existing condition. The normal clear span will be maintained at 127-feet and the low chord will be increased 0.35-feet from the existing condition. The structure will be constructed on the existing horizontal and vertical alignment. The proposed superstructure will consist of 43.3-inch deep steel beams, an 8-inch reinforced concrete deck, 1" minimum latex modified concrete overlay, and a 2'-1/2" high PA Type 10M bridge barrier. The total length of permanent stream impact in direction of flow is about 144-feet to accommodate the widened structure and scour protection.

To remove six stormwater outfalls associated with the existing bridge and roadway. The temporary impact associated with the removal of these outfalls is included in Impact 1 previously listed because they are within the temporary impact footprint.

To construct and maintain a 24-inch diameter stormwater pipe and rock apron (Impact 3 Outfall A0) having a permanent impact of 7-feet wide by 19-feet long.

To construct and maintain an 18-inch diameter stormwater pipe and rock apron (Impact 4 Outfall B0) having a permanent impact of 7-feet wide by 28-feet long.

To construct and maintain an 18-inch diameter stormwater pipe and rock apron (Impact 5 Outfall C0) having a permanent impact of 7-feet wide by 23-feet long.

To construct and maintain an 18-inch diameter stormwater pipe and rock apron (Impact 6 Outfall D0) having a permanent impact of 7-feet wide by 15-feet long.

To remove the existing outfall (Impact 7) having a temporary impact of 21-feet wide by 16-feet and construct and maintain an 18-inch diameter stormwater pipe and rock apron (Impact 8 Outfall E0) having a permanent impact of 7-feet wide by 16-feet long.

The project site is located near the intersection of SR 0050 (Washington Pike), and Chartiers Street (Bridgeville, PA USGS topographic quadrangle; N: 40°, 21', 18.56"; W: -80°, 6', 51.72"; Sub-basin 20F; USACE Pittsburgh District), in Bridgeville Borough, South Fayette Township, Allegheny County.

E30052-267, Dominion Energy Transmission, Inc., 5000 Dominion Boulevard, Glen Allen, VA 23060, Franklin Township, **Greene County**; Pittsburgh ACOE District.

The applicant proposes to:

Remediate and stabilize two landslides along the existing right of ways of their natural gas transmission lines TL-492 and TL-342. The applicant was provided an emergency permit (EP3019202) in April 2019, in order to temporarily unearthen TL-342 to reduce the stress to the line and to build a temporary beam and lagging wall within a trench to support the excavation and prevent instability and stress to the upslope TL-492 line. This remediation project consists of the following:

1. Removing the lagging wall and filling the temporary trench to stabilize the lines.
2. Operate and maintain 119 LF of fill within the floodway associated with two unnamed tributaries to Smith Creek.
3. Approximately 177 LF of temporary floodway impacts of a UNT to Smith Creek.
4. 0.01 acre of temporary disturbance of a palustrine emergent wetland proposed during construction.
5. Operating and maintaining 0.14 acre of fill within a palustrine emergent wetland which was impacted by the landslide. 0.14 acre of mitigation will be required, and the applicant has elected to purchase mitigation bank credits from the Robinson Form Mitigation Bank, located in the adjacent Ohio River Sub-basin 20, pending approval.

The project site is located approximately 1.1 mile south of the intersection of Greenhouse Road and Whites Ridge Road off of Whites Ridge Road (Oak Forest, PA USGS topographic quadrangle; N: 39°, 50', 25.39"; W: -80°, 13', 11.0886"; Sub-basin 19J; USACE Pittsburgh District), in Franklin Township, Greene County.

E63051-738, PennDOT District 12-0, 825 North Galatin Avenue Extension, Uniontown, PA 15401, South Strabane Township, **Washington County**; Pittsburgh ACOE District.

The applicant proposes to:

Plug and abandon the existing 24-inch diameter drainage outfall pipe having less than 100-acre contributory drainage to the pipe. The existing pipe is approximately

304 LF, originating at the Type M inlet in the infield for the SR 0079/SR 0070 Exit 21.

To construct and maintain a 36-inch diameter stormwater outfall pipe, DW Endwall, and rock apron, having a total length of approximately 185 LF. The permanent impact to unnamed tributary of Little Chartiers Creek will be 12 LF wide by 20 LF long. The temporary impact for the installation of the outfall will be approximately 115 LF wide by 20 LF long for construction activity and stream diversion. The UNT to Little Chartiers Creek has a drainage area of approximately 1,172 acres at the outfall location.

The project site is located along SR 0079, Exit 21, (Washington East, PA USGS topographic quadrangle; N: 40°, 9', 47.1162"; W: 80°, 11', 29.4250"; Sub-basin 20F; USACE Pittsburgh District), in South Strabane Township, Washington County.

Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Permit No. E5829-149, Cabot Oil and Gas Corporation, 2000 Park Lane, Suite 300, Pittsburgh, PA 15275, Natural Gas Well Site. Springville Township, **Susquehanna County**; ACOE, Baltimore Office.

To construct, operate, and maintain:

- 1) a permanent well pad fill impact of 6,689 square feet (0.15 acre) to an agricultural Palustrine Emergent Wetland (PEM) swale (Springville, PA Quadrangle; Latitude: 41° 41' 51", Longitude: -75° 57' 33").
- 2) permanent wetland creation of 6,706 square feet (0.15 acre) of on-site Palustrine Emergent Wetland (PEM) (Springville, PA Quadrangle; Latitude: 41° 41' 54", Longitude: -75° 57' 37").

The project consists of expanding an existing well site for Marcellus Shall natural gas resource development in Springville Township, Susquehanna County. The project will result in 6,689 square feet (0.15 acre) of impacts to a Palustrine Emergent Wetland (PEM).

ENVIRONMENTAL ASSESSMENTS

Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 2, 400 Market Street, Harrisburg, PA 17101, telephone number: 717-787-3411.

D36-315EA, James Fisher, Borough Manager, 15 East High Street, Manheim, PA 17545, Manheim Borough, **Lancaster County**; USACOE Baltimore District.

Project proposes to remove the Memorial Park Dam to eliminate a threat to public safety and to restore approximately 3,000 feet of stream channel to a free-flowing condition. The proposed restoration project includes the removal of legacy sediment and construction of instream habitat enhancement structures. A walking path will also be installed in the floodplain. The project is located across Chiques Creek (WWF, MF) (Manheim, PA Quadrangle, Latitude: 40.1716; Longitude: -76.3894).

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of

final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

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

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

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

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

I. NPDES Renewal Permit Actions.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed)</i>	<i>EPA Waived Y/N?</i>
PA0053082 A-1 (Sewage)	Mendenhall Inn P.O. Box 607 Concordville, PA 19331	Chester County Kennett Township	Craigs Mill Run Tributary to Brandywine Creek 3-H	Yes
PA0042978 (Sewage)	Washington Crossing Historic Park Upper WWTP 1112 River Road Washington Crossing, PA 18977	Bucks County Solebury Township	Delaware River (WWF, MF)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0029416 (Sewage)	Camp Weequahic 210 Wood Road Lakewood, PA 18439-3945	Wayne County Preston Township	Unnamed Tributary to Equinunk Creek (HQ-CWF) (1-A)	Yes
PA0060542 (Sewage)	Wallenpaupack Lake Estates STP Najavd Road Lake Ariel, PA 18436-8138	Wayne County Paupack Township	Unnamed Tributary to Wallenpaupack Creek (HQ-CWF) (1-C)	No
PA0063240 (Sewage)	Lehigh Township Municipal Authority Danielsville WWTF 1069 Municipal Road Walnutport, PA 18088	Northampton County Lehigh Township	Bertsch Creek (CWF/MF) (2-C)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0064351 (Industrial)	Keystone Potato Products P.O. Box 27 Hegins, PA 17938-0027	Schuylkill County Frailey Township	Middle Creek (CWF) (7-D)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N</i>
PA0021776 (Sewage)	Fairfield STP P.O. Box 705 Fairfield, PA 17320-0705	Adams County Fairfield Borough	Spring Run (CWF) (13-D)	Yes
PA0088757 (Industrial)	Mt Union Singers Gap WTP 9 W Market Street Mount Union, PA 17066-1233	Huntingdon County Shirley Township	Singers Gap Run (HQ-CWF) (12-C)	Yes
PA0088749 (Sewage)	Hunterstown STP P.O. Box 3307 Gettysburg, PA 17325-0307	Adams County Straban Township	Beaverdam Creek (WWF) (7-F)	Yes
PA0088439 (Sewage)	School House Village P.O. Box 128 Unit 26 4774 Olde Pump Street Walnut Creek, OH 44687	Fulton County Licking Creek Township	Sindeldecker Branch (CWF) (13-B)	Yes
PA0248240 (Sewage)	Zemir Alic 191 Shatto Drive Carlisle, PA 17013-2120	Cumberland County North Middleton Township	Conodoguinet Creek (WWF, MF) (7-B)	Yes
PA0262111 (Sewage)	Gerald S. Miller 847 Johnstown Road East Freedom, PA 16637-8242	Blair County Freedom Township	UNT South Dry Run (WWF, MF) (11-A)	Yes
PA0080209 (Sewage)	Hoffman Homes for Youth, Inc. 815 Orphanage Road Littlestown, PA 17340-9329	Adams County Mount Joy Township	UNT Lousy Run (WWF) (13-D)	Yes
PA0086045 (Sewage)	Castle Hill MHP 20 Erford Road Suite 215 Lemoyne, PA 17043-1163	Adams County Straban Township	Unnamed Tributary to Rock Creek (WWF) (13-D)	Yes
PA0083038 (Sewage)	Tripwire Operations Group LLC 1685 Baltimore Pike Gettysburg, PA 17325	Adams County Mount Joy Township	Unnamed Tributary to Rock Creek (WWF) in Watershed(s) 13-D	Yes
PA0266973 (Sewage)	Karen Johnson Properties 11531 Johnson Acres Lane Hesston, PA 16647	Huntingdon County Walker Township	Unnamed Tributary of Crooked Creek (WWF, MF) in Watershed(s) 11-B	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS214802 (Storm Water)	Beavertown Block Inc. P.O. Box 337 Middleburg, PA 17842-0337	Snyder County Franklin Township	Unnamed Tributary of Middle Creek (CWF, MF) (6-A)	Yes
PA0209244 (Industrial)	Brady Township Troutville Borough Water System P.O. Box 126 Luthersburg, PA 15848	Clearfield County Brady Township	Unnamed Tributary to Laborde Branch (CWF) (17-D)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0232491 (Industrial)	Brady Township Troutville Borough Water System P.O. Box 126 Luthersburg, PA 15848	Clearfield County Brady Township	Unnamed Tributary to East Branch Mahoning Creek (HQ-CWF) (17-D)	Yes
<i>Southwest Region: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.</i>				
<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N</i>
PA0254827 (Sewage)	A Seam Deep Mine STP P.O. Box 260 Friedens, PA 15541-0260	Somerset County Brothersvalley Township	Wilson Creek (WWF) (19-F)	Yes
PA0216593 (Industrial)	Holbrook Comp Station 5400 Westheimer Court Houston, TX 77056-5310	Greene County Richhill Township	North Fork Dunkard Fork (TSF) (20-E)	Yes
PA0024864 (Sewage)	Ligonier WPCP 2132 US 30 Ligonier, PA 15658	Westmoreland County Ligonier Borough	Mill Creek (CWF) (18-C)	Yes

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

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

NPDES Permit No. PA0057339, Sewage, **Brian & Cheryl Davidson**, 209 Popular Road, Honey Brook, PA 19344-1349.

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

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

NPDES Permit No. PA0036897, Sewage, **Borough of South Coatesville**, 136 Modena Road, Coatesville, PA 19320-4035.

This existing facility is located South Coatesville Borough, **Chester County**.

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

NPDES Permit No. PA0050911, Sewage, **Upper Perkiomen School District**, 2229 East Buck Road, Suite 2, Pennsburg, PA 18073-2341.

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

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

NPDES Permit No. PA0055891, Industrial, **8748 Henderson Road Superfund Site IWOU Technical Steering Committee**, O'Hara Environmental Services, Inc., 14 Dogwood Hill Lane, Chadds Ford, PA 19317-9106.

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

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

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

NPDES Permit No. PA0035360, Sewage, SIC Code 4952, **Plum Borough Municipal Authority**, 4555 New Texas Road, Pittsburgh, PA 15239-1197.

This existing facility is located in Plum Borough, **Allegheny County**.

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

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

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

WQM Permit No. WQG02150710, Sewage, Amendment, **Valley Township**, P.O. Box 467, Coatesville, PA 19320.

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

Description of Action/Activity: Rerate the pump station from 5,513 gpd to 11,775 gpd.

WQM Permit No. 2305404, Sewage, Amendment, **Chadds Ford Township Sewer Authority**, 10 Ring Road, P.O. Box 816, Chadds Ford, PA 19317.

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

Description of Action/Activity: 0.21 mgd Municipal WWTP upgrade and expansion. New force main to be constructed to connect to Ridings Pump Station.

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

WQM Permit No. 6719408, Industrial Waste, SIC Code 4952, **Jackson Township Sewer Authority York County**, Sunnyside Road PS and Sprengle Road PS, 439 Roth Church Road, Spring Grove, PA 17362-8872, Jackson Township, **York County**.

Description of Proposed Action/Activity:

This permit approves the modification of sewage facilities consisting of:

Sunnyside Road PS: The pumping station will be upgraded such that the four proposed pumps (two pumps, in series, per each of the two pumping units) will be able to move 1,100 gpm at 122.0 ft. TDH with one of the pumping units out of service.

Sprengle Road PS: The pumping station will be upgraded such that the four proposed pumps (two pumps, in series, per each of the two pumping units) will be able to move 1,400 gpm at 152.6 ft. TDH with one of the pumping units out of service.

WQM Permit No. PA0266973, Sewerage, SIC Code 8811, **Karen Johnson Properties**, 11531 Johnson Acres Lane, Hesston, PA 16647.

This proposed facility is located in Walker Township, **Huntingdon County**.

Description of Proposed Action/Activity:

Permittee is authorized to discharge from a facility known as Karen Johnson Properties, located in Walker Township, Huntingdon County, to Unnamed Tributary of Crooked Creek (WWF, MF) in Watershed(s) 11-B.

Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701, Phone: 570.327.3636.

WQM Permit No. 5902403 A-2, Sewage, SIC Code 4952, **Blossburg Municipal Authority**, 241 Main Street, Blossburg, PA 16912-1125.

This existing facility is located in Blossburg Borough, **Tioga County**.

Description of Proposed Action/Activity: Upgrading the existing WWTP which includes the construction of a new Sequencing Batch Reactor (SBR), a mechanical fine screen, a headworks building, a grit removal system, a sludge dewatering system, an aerobic digestion system, a post equalization system, a tertiary filtration system, chemical feed systems, an ultraviolet disinfection system, a WWTP drain pumping station, and a new WWTP effluent outfall.

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

WQM Permit No. 6319411, Sewage, SIC Code 4911, **Robinson Power Co. LLC**, P.O. Box 127, Burgettstown, PA 15021-0127.

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

Description of Proposed Action/Activity: Construction of an on-lot package sewage treatment facility.

WQM Permit No. 0419402, Sewage, **Brian N & Jessica N Kirby**, 137 Brewer Road, Freedom, PA 15042-9636.

This proposed facility is located in New Sewickley Township, **Beaver County**.

Description of Proposed Action/Activity: Installation of a SFTF to serve a new home.

WQM Permit No. 0419401, Sewage, **Mark R & Cari A Coe Skuse**, 137 Brewer Road, Freedom, PA 15042-9636.

This proposed facility is located in New Sewickley Township, **Beaver County**.

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

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

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

NPDES Permit No.	Permittee Name & Address	Municipality, County	Receiving Water(s)/Use(s)	TMDL Plan Submitted (Y/N)	Pollutant Reduction Plan Submitted (Y/N)
PAI130076	Langhorne Manor Borough 618 Hulmeville Ave Langhorne, PA 19047	Langhorne Manor Borough Bucks County	Unnamed Tributary to Mill Creek (WWF, MF) and Unnamed Tributary to Neshaminy Creek (WWF, MF)	Y	Y

<i>NPDES</i>			<i>Receiving</i>	<i>TMDL</i>	<i>Pollutant</i>
<i>Permit No.</i>	<i>Permittee Name & Address</i>	<i>Municipality, County</i>	<i>Water(s)/Use(s)</i>	<i>Plan Submitted (Y/N)</i>	<i>Reduction Plan Submitted (Y/N)</i>
PAI130068	Doylestown Township 425 Wells Road Doylestown, PA 18901	Doylestown Township Bucks County	Cooks Run (WWF, MF) Mill Creek (TSF, MF) Neshaminy Creek (TSF, MF) Pine Run (TSF, MF) and Unnamed Tributary to Neshaminy Creek (WWF, MF)/TSF, WWF and MF	Y	Y
PAI130528	Westtown Township 1039 Wilmington Pike West Chester, PA 19382	Westtown Township Chester County	Ridley Creek (HQ-TSF, MF) Chester Creek (TSF, MF) Goose Creek (TSF, MF) East Branch Chester Creek (TSF, MF) Plum Run (WWF, MF) Hunters Run (HQ-TSF, MF) and Radley Run (WWF, MF)/HQ-TSF, TSF WWF, and MF	Y	Y

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

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

<i>NPDES</i>				<i>Receiving</i>
<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Water/Use</i>
PAD150151	B.K. Campbell, Inc. 402 Bayard Road Suite 100 Kennett Square, PA 19348	Chester	Lower Oxford Township	West Branch of Big Elk Creek HQ-TSF-MF
PAD150149	YMCA of Greater Brandywine One East Chestnut Street West Chester, PA 19380	Chester	West Brandywine Township	Unnamed Tributary to Beaver Creek TSF-MF Unnamed Tributary to West Branch Brandywine Creek HQ-TSF-MF
PAD150008	Great Valley Community Organization 19 North Bacton Hill Road Malvern, PA 19355	Chester	East Whiteland Township	Valley Creek EV
PAD510040	Delaware River Port Authority One Port Center 2 Riverside Drive Camden, NJ 08101	Philadelphia	City of Philadelphia	Schuylkill River WWF Delaware Estuary WWF

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Melissa Seidler, Clerk Typist 2, 570-830-3048.

Carbon County Conservation District, 5664 Interchange Road, Lehighton, PA 18235, 610-377-4894.

<i>NPDES</i>				<i>Receiving</i>
<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Water/Use</i>
PAD130026	Exeter Industrial Drive Route 940 Land, LLC c/o Tom Allman 101 W Elm St Suite 600 Conshohocken PA 19428	Carbon	Kidder Twp	Black Creek (HQ-CWF, MF)

Northampton County Conservation District, 14 Gracedale Ave, Greystone Building, Nazareth, PA 18064-9211, 610-829-6276.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480110	Amy Richard Stockertown Borough 2019 Main St Stockertown, PA 18083	Northampton	Stockertown Borough Tatamy Borough	Bushkill Creek (HQ-CWF, MF)

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

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

List of NPDES and/or Other General Permit Types.

PAG-01	General Permit for Discharges for Stormwater Discharges Associated with Small Construction Activities.
PAG-02	General Permit for Discharges of Stormwater Associated with Construction Activities
PAG-03	General Permit for Discharges of Stormwater from Industrial Activities
PAG-04	General Permit for Discharges from Small Flow Treatment Facilities
PAG-05	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-06	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-07	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-08	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-08 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-08 General Permit Coverage
PAG-09	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-09 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-09 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

Southeast Regional Office, Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, 484-250-5821.

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Darby Township Delaware County	PAC230122	Lansdowne Upper Darby LLC 808 Montparnasse Place Newtown Square, PA 19073	Cobbs Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Thornbury Township Delaware County	PAC230125	Christopher Mace 28 Gradyville Road Glen Mills, PA 19342	Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510141	NP Roosevelt Industrial II, LLC c/o NorthPoint Development, LLC 4825 NW 41st Street Suite 500 Riverside, MO 64150	Walton Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
City of Philadelphia Philadelphia County	PAC510138	MPR, LLC 2000 Washington Avenue Philadelphia, PA 19146	Tacony/Frankford Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510126	14000 Townsend Road, LP 1712 Hancock Lane Burlington, NJ 08016	Black Lake Run WWF-MF Poquessing Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510128	Northern Liberties Development, LP 1719 Rittenhouse Square Philadelphia, PA 19103	Delaware River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510115	PhilaPort 3460 North Delaware Avenue Philadelphia, PA 19134	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510137	Ciocco Dealerships 750 West End Boulevard Quakertown, PA 18951	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Melissa Seidler, Clerk Typist 2, 570-830-3048.

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC390091	Whitehall Twp Lehigh Co	BT (PA) QRS12-25, Inc. 509 S Exeter St Suite 216 Baltimore, MD 21202	Coplay Creek (CWF, MF)	Lehigh County Conservation District 4184 Dorney Park Road Suite 105 Allentown, PA 18401 610-391-9583
PAC480087	Palmer Twp Northampton Co	Bob McCormick Verus Partners LLC 100 S Wacker Dr Suite 850 Chicago, IL 60606	Schoeneck Creek (WWF, MF)	Northampton County Conservation District 14 Gracedale Ave Greystone Building Nazareth, PA 18064-9211 610-829-6276

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Nathan Phillips, Section Chief, 717.705.4802.

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC210173 Issued	Silver Spring Township Cumberland County	Developers Realty Corporation 1124 Mill Street Building D Suite 103 East Berlin, CT 06023	Conodoguinet Creek (WWF, MF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812

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

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC080040	Smithfield Twp Bradford Cnty	PJ Melocheck JLM Real Estate Investments, LLC 950 East Main Street Suite 107 Schuylkill Haven, PA 17972	Tomjack Creek TSF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
PAC080045	Litchfield Twp Bradford Cnty	David R. Burkholder 4435 Colton Hollow Rd Sayre, PA 18840	UNT to Bullard Creek CWF	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
PAC170032	Brady Twp Clearfield Cnty	DuBois (Brock Bank) DPP, LLC 9010 Overlook Blvd Brentwood, TN 37027	UNT to Luthersburg Branch CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
PAC190040	Catawissa Boro Columbia Cnty	Harman + Allen VFW Post 8306 121 Railroad St Catawissa, PA 17820	Catawissa Creek	Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg, PA 17815 (570) 784-1310 X 102
PAC470020	Liberty Twp Montour Cnty	Jay Rothermel 218 Valley West Road Danville, PA 17821	Beaver Run WWF, MF	Montour County Conservation District 14 E Mahoning St Danville, PA 17821 (570) 271-1140

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
North Fayette Township	PAC020464	David Lodovico 400 North Branch Road Oakdale, PA 15071	Fink Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
City of Pittsburgh	PAC020169-A1	Jeffrey Theys 1300 Penn Avenue Suite 300 Pittsburgh, PA 15222	Allegheny River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Findlay Township	PAC020507	Ben Faist 6101 Carnegie Boulevard Suite 180 Charlotte, NC 28209	UNT to Montour Run (TSP)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645

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<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Collier Township	PAC020495	Jack Gargnoni 5020 Thoms Run Road Oakdale, PA 10571	Chartiers Creek (WWF); McLaughlin Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
City of Pittsburgh	PAC020512	Brent Lahaie 1200 Penn Avenue Pittsburgh, PA 15222	Allegheny River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Richland Township	PAC020481	Scott Trzeciak 2012 Kramer Road Gibsonia, PA 15044	West Branch Deer Creek (CWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Harrison Township	PAC020451	Doug Arnold 3025 Freeport Road Natrona Heights, PA 15065	Little Bull Creek (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Franklin Park Borough	PAC020493	Anya E. Schoss 2021 West State Street New Castle, PA 16101	Fish Run (CWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Marshall Township	PAC020412	Matthew G. Cramer 1 Cedar Boulevard Suite 100 Pittsburgh, PA 15228	Brush Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Richland Township	PAC020001-A1	Joseph Amuso Allegheny County Airport Landside Terminal Fourth Floor Mezzanine Pittsburgh, PA 15231-0370	UNT to Potato Garden Run (WWF); UNT to Saint Patrick Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
Marshall Township Cranberry Township	PAC020233	Gary Graham P.O. Box 67676 Harrisburg, PA 17106-7676	UNT to Brush Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
City of Pittsburgh	PAC020515	Bob Reppe 5000 Forbes Avenue Pittsburgh, PA 15213	Monongahela River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
City of Pittsburgh	PAC020479	Brandon Guy 2645 Railroad Street Suite 3222 Pittsburgh, PA 15222	Allegheny River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Bethel Park Township	PAC020466	Andrea Feinstein 100 Ryan Court Suite 21 Pittsburgh, PA 15205	Lick Run (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
North Strabane Township	PAC630029-A1	Maronda Homes, Inc. 11 Timberglen Drive Imperial, PA 15126	UNT to Chartiers Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Peters Township	PAC630141	Peters Township Land Company P.O. Box 238 Presto, PA 15142	UNT to Brush Run (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Robinson Township	PAC630151	Pennsylvania Turnpike Commission 2200 North Center Avenue New Stanton, PA 15672	UNT to Saint Patrick Run (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC020464	North Fayette Township; Allegheny County	David Lodovico 400 North Branch Road Oakdale, PA 15071	Fink Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
PAC020169-A1	City of Pittsburgh; Allegheny County	Jeffrey Theys 1300 Penn Avenue Suite 300 Pittsburgh, PA 15222	Allegheny River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
PAC020507	Findlay Township; Allegheny County	Ben Faist 6101 Carnegie Boulevard Suite 180 Charlotte, NC 28209	UNT to Montour Run (TSP)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
PAC020495	Collier Township; Allegheny County	Jack Gargnoni 5020 Thoms Run Road Oakdale, PA 15071	Chartiers Creek (WWF); McLaughlin Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645

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<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC020512	City of Pittsburgh; Allegheny County	Brent Lahaie 1200 Penn Avenue Pittsburgh, PA 15222	Allegheny River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
PAC020481	Richland Township; Allegheny County	Scott Trzeciak 2012 Kramer Road Gibsonia, PA 15044	West Branch Deer Creek (CWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
PAC020451	Harrison Township; Allegheny County	Doug Arnold 3025 Freeport Road Natrona Heights, PA 15065	Little Bull Creek (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
PAC020493	Franklin Park Borough; Allegheny County	Anya E. Schoss 2021 West State Street New Castle, PA 16101	Fish Run (CWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
PAC020412	Marshall Township; Allegheny County	Matthew G. Cramer 1 Cedar Boulevard Suite 100 Pittsburgh, PA 15228	Brush Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
PAC020001-A1	Richland Township; Allegheny County	Joseph Amuso Allegheny County Airport Landside Terminal Fourth Floor Mezzanine Pittsburgh, PA 15231-0370	UNT to Potato Garden Run (WWF); UNT to Saint Patrick Run (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
PAC020233	Marshall Township and Cranberry Township; Allegheny County	Gary Graham P.O. Box 67676 Harrisburg, PA 17106-7676	UNT to Brush Creek (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
PAC020515	City of Pittsburgh; Allegheny County	Bob Reppe 5000 Forbes Avenue Pittsburgh, PA 15213	Monongahela River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
PAC02079	City of Pittsburgh; Allegheny County	Brandon Guy 2645 Railroad Street Suite 3222 Pittsburgh, PA 15222	Allegheny River (WWF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645
PAC020466	Bethel Park Township; Allegheny County	Andrea Feinstein 100 Ryan Court Suite 21 Pittsburgh, PA 15205	Lick Run (TSF)	Allegheny County Conservation District 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 242-7645

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAC630029-A1	North Strabane Township; Allegheny County	Maronda Homes, Inc. 11 Timberglen Drive Imperial, PA 15126	UNT to Chartiers Creek (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
PAC630141	Peters Township Allegheny County	Peters Township Land Company P.O. Box 238 Presto, PA 15142	UNT to Brush Run (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
PAC630151	Robinson Township Allegheny County	Pennsylvania Turnpike Commission 2200 North Center Avenue New Stanton, PA 15672	UNT to Saint Patrick Run (WWF)	Washington County Conservation District 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
PAC680029 Action	Boggs Township Clearfield County	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Long Run (CWF)	Attention: Patrick M. Webb PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800

General Permit Type—PAG-03

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
PAG033614 Yes	Exeter Township Berks County	FR & S Inc. 2650 Audobon Road Audobon, PA 19403	Unnamed Tributary to Schuylkill River (WWF, MF), and Unnamed Tributary of Schuylkill River (WWF, MF) in Watershed(s) 3-C	DEP—SCRO 909 Elmerton Ave Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-08 (SSN)

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
John Schraff Farm 844 Riggles Gap Rd. Altoona, PA 16601 Antis Township Blair County	PAG083511 and PAG083512	Altoona Water Authority 144 Westerly Treatment Plant Rd. Altoona, PA 16602	John Schraff Farm 844 Riggles Gap Rd. Altoona, PA 16601	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

General Permit Type—PAG-10

<i>Permit No.</i>	<i>Facility Location: Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Luzerne Township Fayette County	PAG106223	Chevron Appalachia LLC 700 Cherrington Parkway Coraopolis, PA 15108	Unnamed Tributary to Monongahela River (WWF), Kelley Run (WWF), and Unnamed Tributary of Monongahela River (WWF)—19-C	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-13

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
West Wyoming Borough Luzerne County	PAG132251	West Wyoming Borough 464 W 8th Street West Wyoming, PA 18644-1645	Abrahams Creek (CWF, MF)—5-B	DEP Northeast Regional Office Clean Water Program 2 Public Square Wilkes-Barre, PA 18701-1915 570.826.2511
PAG133568	West Lampeter Township, Lancaster County	West Lampeter Township Lancaster County P.O. Box 237 852 Village Road Lampeter, PA 17537-0237	Conestoga River (WWF, MF) and Pequea Creek (WWF, MF) in Watershed(s) 7-J and 7-K	DEP—SCRO 909 Elmerton Ave. Harrisburg, PA 17110 717-705-4707

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
CAFO 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>
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
Cress Run Farm-Arlin Weaver 201 Bullshead Road Newville, PA17241	Cumberland	472.38	686.67	Swine	NA	Approved
Arlin Wadel 301 McCulloch Road Shippensburg, PA 17257	Cumberland	276.29	346.40	Layer	NA	Approved
Earl & Joann Ebling 761 Airport Rd Bethel, PA 19507	Berks	786.63	136.11	Poultry	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

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

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

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

SAFE DRINKING WATER

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

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511.

Contact: Melissa Seidler, Clerk Typist 2, 570-830-3048.

Permit No. 4019513MA, Public Water Supply.

Applicant	Borough of Freeland Municipal Authority 711 Birkbeck St. Freeland, PA 18224
Borough or Township	Borough of Freeland
County	Luzerne
Type of Facility	PWS
Consulting Engineer	Ms. Samantha Albert, PE Borton-Lawson Engineering 613 Baltimore Drive Wilkes-Barre, PA 18224
Permit to Construct Issued	11/20/2019

Permit No. 5419506MA, Public Water Supply.

Applicant	Hegins Hubley Authority 915 West Maple Street Hubley Township, PA 17983
Township or Borough	Hubley Township Schuylkill County
Responsible Official	Demetrius Kasmari Hegins Hubley Authority 915 West Maple Street Hubley Township, PA 17983
Type of Facility	PWS

Consulting Engineer Frederick E. Ebert, P.E.,
Ebert Engineering, Inc.,
P.O. Box 540
Skippack, PA 19474

Permit Issued Date 11/13/2019

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

**Permit No. 7069-T2-A1—Operation—Public Water
Supply.**

Applicant **McClure Municipal Authority**

Township/Borough McClure Borough

County **Snyder County**

Responsible Official Mr. William White
McClure Municipal Authority
P.O. Box 138
McClure, PA 17841

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued November 13, 2019

Description of Action Authorizes reserve designation of
Well No. 1 and of Three Springs
Run in terms of the availability
of these two sources.

**Permit No. 4919505—Construction—Public Water
Supply.**

Applicant **Pennsylvania American
Water Company**

Township/Borough Milton Borough

County **Northumberland County**

Responsible Official Mr. Andrew Clarkson
Pennsylvania American Water
Company
852 Wesley Drive
Mechanicsburg, PA 17055

Type of Facility Public Water
Supply—Construction

Consulting Engineer Mr. Daniel Jeon, P.E.
Gannett Fleming, Inc.
7133 Rutherford Road
Baltimore, MD 21244

Permit Issued November 19, 2019

Description of Action Authorizes upgrades to the
Milton South Front Street
Booster Pump Station.

**Permit No. 1457-A1—Operation—Public Water Sup-
ply.**

Applicant **Municipal Authority of the
Borough of Mansfield**

Township/Borough Mansfield Borough

County **Tioga County**

Responsible Official Mr. Richard Correll
Municipal Authority of the
Borough of Mansfield
14 South Main Street
Mansfield, PA 16866

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued November 20, 2019

Description of Action Authorizes operation of Taylor
Reservoir with reserve-source
availability designation.

**Permit No. 6433-A1—Operation—Public Water Sup-
ply.**

Applicant **Municipal Authority of the
Borough of Mansfield**

Township/Borough Mansfield Borough

County **Tioga County**

Responsible Official Mr. Richard Correll
Municipal Authority of the
Borough of Mansfield
14 South Main Street
Mansfield, PA 16866

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued November 20, 2019

Description of Action Authorizes operation of Webster
Reservoir with reserve-source
availability designation.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

**The following plans and reports were submitted
under the Land Recycling and Environmental
Remediation Standards Act (35 P.S. §§ 6026.101—
6026.908).**

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

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department Regional Office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative

form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Dial North Property B, 1414 Radcliff Street, Bristol Borough, **Bucks County**. Peter R. Lamont, PG, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kevin O'Halloran, Island View Crossing II, LP, c/o Box 1281, Largo, FL 33779 submitted a Cleanup Plan/Final Report concerning remediation of site soil contaminated with inorganics and chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

United States Steel Corporation (KIPC) 21-Acre Parcel, One Ben Fairless Drive, Falls Township, **Bucks County**. John A. Garges, GHD, 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 on behalf of Michael H. Leon, United States Steel Corporation, 1350 Penn Avenue, Suite 200, Pittsburgh, PA 15222 submitted a Final Report concerning remediation of site soil contaminated with PCBs and chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

BBS Clifton Heights, 546 East Baltimore Avenue, Clifton Heights, **Delaware County**. Staci Cottone, J&J Environmental, P.O. Box 370, Blue Bell, PA 19422 on behalf of Marc Werner, BSS Clifton Heights, LLC, 4825 NW 41st Street, Suite 500, Riversdale, MO 64510 submitted a Final Report concerning remediation of site soil contaminated with No. 6 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Wyeth Lab, 611 East Niels Street, Borough of West Chester, **Chester County**. Daniel P. Sheehan, PE, Arcadis U.S. Inc., 824 East Market Street, Suite 820, Wilmington, DE 19801 on behalf of Eli Kahn, 611 East Niels Street, LLC, 120 Pennsylvania Avenue, Malvern, PA 19355 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan/Final Report concerning remediation of site soil and groundwater contaminated with lead, other organics, PAHs and chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Constitution Square, LLC, 108 East Walnut Street, Perkasio Borough, **Bucks County**. Sean M. Damon, PG, Langan Engineering and Environmental Services Inc., P.O. Box 1569, Doylestown, PA 18901 on behalf of James W. Moulton, Constitution Square, LLC, 402 Swedesford Road, North Wales, PA 19454 submitted a Remedial Investigation Report/Cleanup Plan/Risk Assessment Report concerning remediation of site groundwater and soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Mulloy Property, 34 Yale Avenue, Morton Borough, **Delaware County**. Joanne Van Rensselaer, Envirosearch Consultants Inc., P.O. Box 940, Springhouse, PA 19477 on behalf of Marshall Mulloy, 305 Freese Road, Oxford, PA 19363 submitted a Final Report concerning remediation of site groundwater contaminated with volatile organics. The report is intended to document remediation of the site to meet the Background Standard.

Furniture Mart USA, 24-50 Hulmeville Avenue, Borough of Pennel, **Bucks County**. David Schantz, Sr., Aquaterra Technologies, Inc., 901 South Bolmar Street, Suite A, West Chester, PA 19382 on behalf of Roger Betesh, 50 Hulmeville Avenue, Pennel, PA 19047 submitted a Remedial Investigation Report/Risk Assessment Report concerning remediation of site soil and groundwater contaminated with metals. The report is intended to document remediation of the site to meet the Site-Specific Standard.

The Milk Depot, LLC, 1327-133 North Marston Street, City of Philadelphia, **Philadelphia County**. John C. Lydzinski, PG, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406-3207 on behalf of David Ross, The Milk Depot, LLC, 3001 West Girard Avenue, Unit 1F, Philadelphia, PA 19130 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Original Philly Cheesesteak Company, 520 East Hunting Park Avenue, City of Philadelphia, **Philadelphia County**. William D. Kraft, III, Ramboll US Corporation, 101 Carnegie Center, Suite 200, Princeton, NJ 08540 on behalf of John Karamatsoukas, Original Philly Holdings, Inc., 520 East Hunting Park Avenue, Philadelphia, PA 19124 submitted a Final Report concerning remediation of site soil contaminated with PAHs, PCBs, pesticides, lead and other metals. The report is intended to document remediation of the site to meet the Statewide Health Standard.

831 East Lincoln Highway, 831 East Lincoln Highway, City of Coatesville, **Chester County**. Brian Donoghue, Comstock Environmental Services, LLC, P.O. Box 509, Lafayette Hill, PA 19444 submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with petroleum fuel. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Maple Glen Dry Cleaners, 1945 Norristown Road, Upper Dublin Township, **Montgomery County**. Kimberley Wilkinson, Sovereign Consulting, Inc., 100 Dobbs Lane, Suite 212, Cherry Hill, NJ 08003 on behalf of Dean Frederickson, Safeway, Inc., 250 Parkcenter Boulevard, Boise, ID 83726 submitted a Remedial Investigation Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

French Creek West, North Main Street, Phoenixville Borough, **Chester County**. Paul White, PG, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Christy Flynn, French Creek TH LP, 126 East State Street, Media, PA 19063 submitted a Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Gretz Beverage Company, 700 East Main Street, Borough of Norristown, **Montgomery County**. Carl G. Rinkevich II, PG, Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602 on behalf of Aaron Muderick, TIPCO, LLC, 700 East Main Street, Norristown, PA 19401 submitted a Risk Assessment Report/Final Report concerning remediation of site soil and groundwater contaminated with MTBE and other organics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Roberto Clemente Middle School, 3921-3951 North 5th Street, City of Philadelphia, **Philadelphia County**. Natalie Griffith, REPSG, Inc., 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Walter Toliver, Esperanza, 4261 North 5th Street, Philadelphia, PA 19140 submitted a Final Report concerning remediation of site soil and groundwater contaminated with VOCs and lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

109 Water Street, 109 Water Street, Borough of Norristown, **Montgomery County**. James Mulry, PG, Mulry & Cresswell Environmental, Inc., 1679 Horseshoe Pike, Glenmore, PA 19343 on behalf of Andrew Kasmien, Burns and Kasmien, 2 Bala Plaza, Suite 718, Bala Cynwyd, PA 19004 submitted a Final Report concerning remediation of site soil contaminated with heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Wintersteen Property, 221 Ryan Road, West Marlborough Township, **Chester County**. Joseph Diamadi, Jr., Marshall Geoscience Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Mr. & Mrs. George Wintersteen, 221 Ryan Road, West Grove, PA 19390 submitted a Final Report concerning remediation of site soil contaminated with gasoline contaminants. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Leon Residence, 14 Maclnotosh Road, Bristol Township, **Bucks County**. Richard D. Trimpi, PG, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Andrea Gluch, State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348-6169 submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Tancredi Auto, 500 Fairview Road, Ridley Township, **Delaware County**. Joseph Diamadi, Jr., Marshall Geoscience Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Joseph Tancredi, 500 Fairview Road, Woodlyn, PA 19094 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Baum Farm, 221 and 491 Forty Foot Road, Hatfield Township, **Bucks County**. Jeffrey K. Walsh, PG, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Richard S. Baum, 440 Orvilla Road, Hatfield, PA 19440 submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Kovatch Properties, 363 North First Street, Lehighton Borough, **Carbon County**. Quantum Engineering, 219 West Phillips Street, Coaldale, PA 18218, on behalf of Kovatch Properties LP, 145 Grouse Ridge Road, Tamaqua, PA 18252, submitted a Final Report concerning remediation of soil contamination caused by a release of petroleum at a former service station. The report is intended to document remediation of the site to meet Statewide Health Standards.

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Shippensburg Borough Property, Cramer Road & Walnut Bottom Road, Shippensburg, PA 17257, Shippensburg Township, **Cumberland County**. Environmental Standards, Inc., 1140 Valley Forge Road, P.O. Box 810, Valley Forge, PA 19482, on behalf of Shippensburg Investors, L.P., Ellis Preserve, 3843 West Chester Pike, Newtown Square, PA 19073, submitted a Final Report concerning site soil contaminated with lead and VOCs from a municipal dump. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

Former Harrisburg Steel Company, 1001 Herr Street, Harrisburg, PA 17101, Harrisburg City, **Dauphin County**. Independence Env Consulting LLC, 1750 Kaylor Road, Hummelstown, PA 17036, on behalf of Capital Region Economic Development Corp, 3211 N. Front Street, Harrisburg, PA 17110, submitted a Remedial Investigation and Cleanup Plan concerning remediation of site soils and groundwater contaminated with PAH's and metals. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Former Reading Outlet Center Building # 1, 9th & Douglass Streets, Northeast Corner, Reading, PA 19601, Reading City, **Berks County**. Liberty Environmental, Inc., 505 Penn Street, Suite 400, Reading, PA 19601, on behalf of Shuman Development Group, 645 Penn Street, Reading, PA 19601, submitted a Final Report concerning remediation of site soil contaminated with No. 6 fuel oil from a leaking underground storage tank. The Report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Gino Gaspari and Sons, Inc., 2103 Georgia Road, Temple, PA 19560, Muhlenberg Township, **Berks County**. Leed Environmental, Inc., 2209 Quarry Drive, Suite C-35, Reading, PA 19609, on behalf of Gino Gaspari and Sons, Inc., 2103 Georgia Road, Temple, PA 19560, submitted a Final Report concerning remediation of site soil and groundwater contaminated with gasoline and diesel fuel. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701, Telephone number: 570-237-3636.

Contact: Lisa Hensel, Clerk Typist II, 570-327-3653.

Universal Truckload, Inc. Project, Snow Shoe Township, **Centre County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Universal Truckload, Inc., 7800 E. Little York Road, Houston, TX 77016, has submitted a Final Report concerning site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Propel Transport Project, Lawrence Township, **Clearfield County**. Crawford Environmental Service, LLC, 20 Cardinal Drive, Birdsboro, PA 19508, on behalf of Propel Transport, LLC, 1001 North Randolph Street, Philadelphia, PA 19123, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel and used motor oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former LaFarge Road Marking, Inc., Muncy Township, **Lycoming County**. Environmental Planning Specialists, Inc., 400 Northridge Road, Suite 400, Sandy

Springs, GA 30350, on behalf of LaFarge Road Marking, Inc., 67 Jaime Court, Morris Plains, NJ 07950, has submitted a Risk Assessment Report and Cleanup Plan concerning site soil and groundwater contaminated with chlorinated solvents. The report and plan are intended to document remediation of the site to meet the Site-Specific Standard.

Former Palmer Industrial Coating, Woodward Township, **Lycoming County**. United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of D & B Industrial Leasing, LLC, 464 Huling Lane, Williamsport, PA 17702, has submitted a Final Report concerning site soil contaminated with Methyl Isobutyl Ketone and Zinc. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Streamline Express, Inc. Project, Liberty Township, **Montour County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Streamline Express, Inc., 6435 South Quincy Street, Willowbrook, IL 60527, has submitted a Final Report concerning site soil contaminated with diesel fuel, motor oil, antifreeze and transmission fluid. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

ARG Refinery, 77 North Kendall Avenue, City of Bradford, **McKean County**. Wood Environmental & Infrastructure Solutions, Inc., 4600 J. Barry Court, Suite 210, Canonsburg, PA 15317, on behalf of American Refining Group, 77 North Kendall Avenue, Bradford, PA 16701, submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with 1,2,4-trimethylbenzene, benzene, toluene, total xylenes, 2-methylnaphthalene, benzo[a]anthracene, anthracene, chrysene, benzidine, dibenzo[a,h]anthracene, naphthalene, benzo[a]pyrene, dibenzofuran, fluorene, antimony, arsenic, iron, lead, manganese, thallium, mercury, zinc and site groundwater contaminated with 1,1-dichloroethane, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 2-butanone (MEK), 2-hexanone, benzene, chloroform, cis-1,2-dichloroethene, ethylbenzene, isopropylbenzene, methyl tert-butyl ether, n-propylbenzene, tetrachloroethene, toluene, total xylenes, trichloroethene, vinyl chloride, 2-methylnaphthalene, benzidine, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, bis[2-ethylhexyl]phthalate, dibenzofuran, indeno[1,2,3-cd]pyrene, naphthalene, pentachlorophenol, pyrene, aluminum, antimony, arsenic, barium, beryllium, cobalt, copper, iron, manganese, mercury, nickel (oxides), thallium, vanadium, and zinc. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Stan-

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

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

The Department has received the following plans and reports:

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

Wyeth Lab, 611 East Nields Street, West Chester Borough, **Chester County**. Daniel P. Sheehan, PE, Arcadius U.S., Inc., 824 East Market Street, Suite 820, Wilmington, DE 19801 on behalf of Eli Kahn, 611 East Nields Street, LLC, 120 Pennsylvania Avenue, Malvern, PA 19355 submitted a Cleanup Plan/Risk Assessment Report/Remedial Investigation Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Report was approved by the Department on June 28, 2019.

701 South Main Street, 701 South Main Street, Phoenixville Borough, **Chester County**. Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Mr. & Mrs. Paul Hartmann, CGF Properties, LLC, 20 Hedgerow Lane, Phoenixville, PA 19460 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with heating oil,

metals and SVOCs. The Report was disapproved by the Department on October 15, 2019.

Horan Residence, 48 Village Way, East Whiteland Township, **Chester County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Erin Bydalek, Nationwide, P.O. Box 198, Harleysville, PA 19348 submitted a Final Report concerning the remediation of site soil contaminated with petroleum. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 24, 2019.

Biddle Residence, 2803 Diamond Street, Hilltown Township, **Bucks County**. Kevin Burns, CB & I, 200 Horizon Center Boulevard, Trenton, NJ 08691 on behalf of Gary Ecott, Petro Heating Oil Services, 650 Knowles Avenue, Southampton, PA 18966 submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 14, 2019.

1900 West Allegheny Avenue, 1900 West Allegheny Avenue, City of Philadelphia, **Philadelphia County**. Angelo Fatiga, Pennoni Associates, Inc., 1900 Market Street, Philadelphia, PA 19103 on behalf of R. Max Kent, New Courtland Apartments at Allegheny, 6950 Germantown Avenue, Philadelphia, PA 19119 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PAHs and metals. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on September 27, 2019.

PECO Bristol MGP, Mifflin and Linden Street, Bristol Borough, **Bucks County**. Douglas Kier, PG, AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428 on behalf of Peter Farrand, PECO Energy Company, 2301 Market Street, Philadelphia, PA 19103 submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with PAHs. The Report was approved by the Department on September 13, 2019.

Bernhard Residence, 1811 Yellow Springs Road, Tredyffrin Township, **Chester County**. Vincent Carbone, HDR Engineering Inc., 1720 Spillman Drive, Bethlehem, PA 18015 on behalf of Sean Craner, Lewis Environmental, 155 Railroad Plaza, Royersford, PA 19468 submitted a Final Report concerning the remediation of site soil contaminated with diesel fuel. The Final Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on September 11, 2019.

Dial North Property B, 1414 Radcliff Street, Bristol Borough, **Bucks County**. Peter R. Lamont, PG, Penn E&R, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Kevin O'Halloran, Island View Crossing II, LP, c/o Box 1281, Largo, FL 33779 submitted a Cleanup Plan/Final Report concerning the remediation of site soil contaminated with inorganics and chlorinated solvents. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on October 9, 2019.

Hoplamazian Residence, 4 Hampton Lane, Edgemont Township, **Delaware County**. Joseph Diamadi, Jr., PG, Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Sona Hoplamazian, 4 Hampton Lane, Glen Mills, PA 19342 submitted a Remedial Investigation Report concerning the remediation of

site soil and groundwater contaminated with unleaded gasoline. The Report was approved by the Department on October 17, 2019.

Pattillo Residence, 1446 Schirra Drive, Upper Dublin Township, **Montgomery County**. Geoff Kristof, PG, Aquaterra Technologies Inc., 901 South Bolmar Street, Suite A, West Chester, PA 19382 on behalf of Alan Chris Pattillo, 1446 Schirra Drive, Ambler, PA 19002 submitted a Final Report concerning the remediation of site soil contaminated with heating oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 10, 2019.

Nabisco, 12000 Roosevelt Boulevard, City of Philadelphia, **Philadelphia County**. Richard Lake Geo-Technology Associated, Inc., 14 World's Fair Drive, Somerset, NJ 08873 on behalf of Michael Cooley, Provco Good MCB Byberry, LP, 795 East Lancaster Avenue, Suite 200, Villanova, PA 19085 submitted a Remedial Investigation Report/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with arsenic and PAHs. The Report was approved by the Department on September 26, 2019.

Sun Pipeline Lima Release Site, Route 452 and Route 1, Middletown Township, **Delaware County**. Stephanie Grillo, Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Bradford L. Fish, PG, Sunoco Pipeline, LP, 100 Green Street, Marcus Hook, PA 19061 submitted a Final Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline. The Final Report did not demonstrate attainment of the site-specific standard and was disapproved by the Department on October 7, 2019.

Limekiln Golf Club, 1176 Limekiln Pike, Horsham Township, **Montgomery County**. Michael Potts, Terraphase Engineering, Inc., 100 Canal Pointe Boulevard, Suite 108, Princeton, NY 08540 on behalf of Ken Griffin, Envision/Matrix Limekiln, LLC, Forsgate CN 400, Cranbury, NJ 08512 submitted a Remedial Investigation Report/Risk Assessment Report/Final Report concerning the remediation of site soil contaminated with inorganics. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on September 9, 2019.

Trappe Center Property-Sonny Cleaners, 130 Main Street, Unit 108, Trappe Borough, **Montgomery County**. Terrence A. O'Reilly, PG, TriState Environmental Management Services, Inc., 368 Dunksferry Road, Bensalem, PA 19020 on behalf of Arne Anderson, Trappe Center LP, 1055 Westlakes Drive, Suite 170, Berwyn, PA 19382 submitted a Remedial Investigation Report/Risk Assessment Report/Final Report concerning the remediation of site groundwater contaminated with PCE, TCE, cis-1,2-DCE and vinyl chloride. The Final Report demonstrated attainment of the site-specific standard and was disapproved by the Department on September 23, 2019.

Lansdowne Meadows, 7284 Radbourne Road, Upper Darby Township, **Delaware County**. John C. Lydzinski, PG, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf Phillip Balderson, Odin Properties, 200 Callowhill Street, Suite 403, Philadelphia, PA 19107 submitted a Final Report concerning the remediation of site groundwater contaminated with VOCs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on October 4, 2019.

Rubinstein Properties, 250 East Market Street, 308 East Market Street, 100 East Minor Street and 126 South

Franklin Street, Borough of West Chester, **Chester County**. Michael S. Welsh, PE, Welsh Environmental Inc., 131 Clearview, Downingtown, PA 19355 on behalf of Eli Kahn, 250 East Market Street Partners, LLC, 120 Pennsylvania Avenue, Malvern, PA 19355 submitted a Cleanup Plan concerning the remediation of site groundwater contaminated with chlorinated VOCs. The Plan was approved by the Department on October 9, 2019.

South Philadelphia Shopping Center, 2301-2311 Oregon Avenue, City of Philadelphia, **Philadelphia County**. Jeff Walsh, Penn Environmental and Remediation Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Ehud Kupperman, Cedar Realty Trust, Inc., 44 South Bayless Avenue, Fort Washington, NY 11050 submitted a Remedial Investigation Report/Cleanup Plan/Risk Assessment Report/Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated VOCs. The Final Report demonstrated attainment of the site-specific standard and was approved by the Department on October 18, 2019.

Sunoco Darby Creek Tank Farm, Calcon Hook Road, Darby Borough, **Delaware County**. Michael V. Malone, Stantec Consulting Services, Inc., 160 Andrew Drive, Suite 140, West Chester, PA 19380 on behalf of Fiona Livingston, Philadelphia Refinery Operations, a series of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, PA 19803 submitted a Remedial Investigation Report/Final Report concerning the remediation of site groundwater contaminated with PAHs, inorganics, arsenic and crude oil. The Final Report demonstrated attainment of the site-specific standard and was disapproved by the Department on August 29, 2019.

Estate of Nicholas Abbonizio, 2528 Haverford Road, Haverford Township, **Delaware County**. Richard S. Werner, PG, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Francesca Abbonizio, The Estate of Nicholas Abbonizio, 848 Conner Road, West Chester, PA 19380 submitted a Cleanup Plan/Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with unleaded gasoline and diesel fuel. The Report was approved by the Department on October 2, 2019.

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Humboldt East Site 106, 101 Commerce Drive, Hazle Township, **Luzerne County**. Cozen O'Connor, One Liberty, 1650 Market Street, Suite 2800, Philadelphia, PA 19103, on behalf of Bluewater Hazleton LLC, One Tower Bridge, 100 Front Street, Suite 570, Conshohocken, PA 19428, submitted a Baseline Environmental Report. The Site was formerly part of the PPL-Harwood Steam Electric Station and soil was contaminated by volatile organic compounds, base neutral compounds, PCBs, and metals. The report documented the intended use of the site as a Special Industrial Area and was approved by DEP on November 13, 2019.

Klingel Cleaners, 1710 West Main Street, Stroud Township, **Monroe County**. Moonstone Environmental, LLC, 1150 Glenlivet Drive, Suite A-23, Allentown, PA 18106, on behalf of the Estate of Arthur and Mary Klingel, 1710 West Main Street, Stroudsburg, PA 18360, submitted additional information relating to a combined Remedial Investigation Report, Cleanup Plan and Final Report concerning remediation of soil and groundwater at this former dry-cleaning operation. The report docu-

mented remediation of the site to meet Site-Specific Standards and was approved by DEP on November 19, 2019.

Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Former Exxon Mobil Oil Company—Mt. Union Terminal # 37-058, 15534 Croghan Pike (SR 522), Mt. Union, PA 17260, Shirley Township, **Huntingdon County**. Kleinfelder, 1745 Dorsey Road, Ste J, Hanover, MD 21076, on behalf of ExxonMobil Environmental & Property Solutions Company, 38 Varick Street, Brooklyn, NY 11222, submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard and was disapproved by the Department on 15, 2019.

CSXT Hyndman Derailment Site, 119 & 127 Cleveland St; 122 & 131 Mill St; 288, 296 & 306 Schellsburg St, Hyndman, PA 15545, Hyndman Borough, **Bedford County**. ARCADIS, US, Inc., 10 Friends Lane, Suite 100, Newtown, PA 18940, on behalf of CSX Transportation, Inc., 1 Bell Crossings, Selkirk, NY 12158; Michael Baker, 122 Mill Street, Hyndman, PA 15545; Jessie Spiker, 131 Mill Street, Hyndman, PA 15545; Dorothy and Harvey Cook, 296 Schellsburg Street, Hyndman, PA 15545; Edward Kennell, 288 Schellsburg Street, Hyndman, PA 15545; Janet Ritchey, 306 Schellsburg Street, Hyndman, PA 15545; Fay E. Leydig, 127 Cleveland Street, Hyndman, PA 15545, and William Parry, 119 Cleveland Street, Hyndman, PA 15545, submitted a Final Report concerning remediation of site soil contaminated with sulfur and petroleum hydrocarbons released from a train derailment. The Final Report was administratively incomplete and was disapproved by the Department on November 18, 2019.

Hakes Grocery Store, 898 East Canal Road, Dover, PA 17315, Conewago Township, **York County**. BL Companies, 4242 Carlisle Pike, Suite 260, Camp Hill, PA 17011, on behalf of the Estate of Esther M. Hake, c/o Douglas P. France, Esq., 2675 Eastern Boulevard, York, PA 17402, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil and groundwater contaminated with leaded and unleaded gasoline. The combined Report was disapproved by the Department on November 20, 2019.

Susquehanna Rental Properties, LLC, Dallastown Site, 400 East Locust Street, Dallastown, PA 17313, Dallastown Borough and York Township, **York County**. POWER Engineers, Inc., 1410 East Market Street, York, PA 17403, on behalf of Susquehanna Rental Properties, LLC, 421 West Market Street, Marietta, PA 17547, submitted a Remedial Investigation Report, Cleanup Plan, and Final Report concerning remediation of site soil historically contaminated with lead. The combined Final Report did not demonstrate attainment of the Site-Specific-Standard and was disapproved by the Department on November 21, 2019

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

ARG Refinery, 77 North Kendall Avenue, City of Bradford, **McKean County**. Wood Environmental & Infrastructure Solutions, Inc., 4600 J. Barry Court, Suite 210, Canonsburg, PA 15317, on behalf of American Refining Group, 77 North Kendall Avenue, Bradford, PA 16701, submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with 1,2,4-

trimethylbenzene, benzene, toluene, total xylenes, 2-methylnaphthalene, benzo[a]anthracene, anthracene, chrysene, benzo[a]pyrene, dibenzofuran, fluorene, antimony, arsenic, iron, lead, manganese, thallium, mercury, zinc and site groundwater contaminated with 1,1-dichloroethane, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 2-butanone (MEK), 2-hexanone, benzene, chloroform, cis-1,2-dichloroethene, ethylbenzene, isopropylbenzene, methyl tert-butyl ether, n-propylbenzene, tetrachloroethene, toluene, total xylenes, trichloroethene, vinyl chloride, 2-methylnaphthalene, benzidine, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, bis[2-ethylhexyl]phthalate, dibenzofuran, indeno[1,2,3-cd]pyrene, naphthalene, pentachlorophenol, pyrene, aluminum, antimony, arsenic, barium, beryllium, cobalt, copper, iron, manganese, mercury, nickel (oxides), thallium, vanadium, and zinc. The Report was disapproved by the Department on November 13, 2019.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701, Telephone number: 570-237-3636.

Contact: Lisa Hensel, Clerk Typist II, 570-327-3653.

Star Fleet Trucking Project, Crossroads Drive, New Columbia, Kelly Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Star Fleet Trucking, Inc., 426 Main Street, Middlebury, IN 46550, has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel, motor oil & antifreeze. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 18, 2019.

US Route 15 Southbound, Lewisburg, East Buffalo Township, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of STL Logistics, 8859 Creditview Road, Brampton, ON L6Y 2X8, has submitted a Final report concerning remediation of site soil contaminated with diesel fuel. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 19, 2019.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

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

Renewal Applications Received

Lacy's Express, Inc., P.O. Box 130, Pedricktown, NJ 08067. License No. PA-AH 0243. Effective Nov 12, 2019.

Environmental Services, Inc., 90 Brookfield Street, South Windsor, CT 06074. License No. PA-AH 0725. Effective Nov 21, 2019.

Goulet Trucking, Inc., P.O. Box 259, South Deerfield, MA 01373. License No. PA-AH 0768. Effective Nov 19, 2019.

Earth Smart Environmental Solutions, LLC, 232 South Dillard Street, Winter Garden, FL 34787. License No. PA-AH 0833. Effective Nov 13, 2019.

Transporter Licenses Reissued

Lacy's Express, Inc., P.O. Box 130, Pedricktown, NJ 08067. License No. PA-AH 0243. Effective Nov 12, 2019.

Environmental Services, Inc., 90 Brookfield Street, South Windsor, CT 06074. License No. PA-AH 0725. Effective Nov 21, 2019.

Goulet Trucking, Inc., P.O. Box 259, South Deerfield, MA 01373. License No. PA-AH 0768. Effective Nov 19, 2019.

Earth Smart Environmental Solutions, LLC, 232 South Dillard Street, Winter Garden, FL 34787. License No. PA-AH 0833. Effective Nov 13, 2019.

REGULATED MEDICAL AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Actions on applications for Regulated Medical and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P.L. 525, No. 93) and regulations to transport regulated medical and chemotherapeutic waste.

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

Renewal Applications Received

Clean Harbors Environmental Services, Inc., P.O. Box 9149, Norwell, MA 02061. License No. PA-HC 0053. Effective Nov 19, 2019.

MDB BioMed LLC, 116 Level Road, Colledgeville, PA 19426. License No. PA-HC 0269. Effective Nov 21, 2019.

Maverick Medical Waste Services, LLC, 12 E. Greenbrook Rd., North Caldwell, NJ 07006. License No. PA-HC 0274. Effective Nov 12, 2019.

Transporter License Reissued

Clean Harbors Environmental Services, Inc., P.O. Box 9149, Norwell, MA 02061. License No. PA-HC 0053. Effective Nov 19, 2019.

MDB BioMed LLC, 116 Level Road, Colledgeville, PA 19426. License No. PA-HC 0269. Effective Nov 21, 2019.

Maverick Medical Waste Services, LLC, 12 E. Greenbrook Rd., North Caldwell, NJ 07006. License No. PA-HC 0274. Effective Nov 12, 2019.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Draft permits issued under the Solid Waste Management Act of July 7, 1980 (P.L. 380, No. 97) (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401: 484-250-5960.

PAD002292068. Rohm & Haas Chemicals, LLC, 5000 Richmond Street, Philadelphia, PA 19137. A draft permit has been prepared for the renewal of the RCRA Hazardous Waste (Part B) permit authorizing continued operation of the captive hazardous waste storage, treatment, and transfer facility at Rohm and Haas Chemicals, LLC—Bristol Facility located at 200 Route 413, Bristol, PA, in Bristol Township, **Bucks County**. The public

comment period on the draft permit ends 45 days after date of this publication. Copies of the draft permit and fact sheet are available at the Southeast Regional Office. Written comments may be sent to the Southeast Regional Office at the address noted. Draft permit was issued on November 19, 2019.

Persons interested in reviewing the draft 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.

RENEWAL OF MUNICIPAL WASTE GENERAL PERMITS

Renewal of General Permit issued under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities (25 Pa. Code § 271.811 (relating to authorization for general permit)).

Southcentral Regional Office: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

General Permit No. WMGM038SC002. Gypsum Agri-Cycle, Inc., 500 Landisville Road, Manheim, PA 17545 for the facility located at 280 Ore Mine Road, Mount Joy, PA 17552, located in East Donegal Township, **Lancaster County**. The Department of Environmental Protection has issued a renewal of General Permit No. WMGM038SC002 to Gypsum Agri-cycle, Inc. This general permit authorizes the processing and beneficial use of untreated and unpainted gypsum wallboard products generated at residential homes and commercial construction sites, or manufacturing facilities. The resultant processed materials may be beneficially used as (1) a component of mushroom growing media, (2) a soil additive material or in the production of mulch, (3) a soil amendment, (4) a component or ingredient in a manufacturing process, (5) as a bulking agent, (6) an ingredient in cement, concrete, grout, asphalt or flowable backfill mixtures for construction purposes, or (7) use of the backing paper as an animal bedding material. This renewal was issued on November 20, 2019.

RESIDUAL WASTE GENERAL PERMITS

Permit(s) Modification 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 the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit No. WMGR123NC018. Eureka Resources, LLC, 445 Pine Street, Williamsport, Standing Stone Township, **Bradford County**. Minor modification for the installation of a headworks tank battery to include six new above ground tanks installed in secondary containment. The permit was issued by Northcentral Regional Office on September 30, 2019.

Persons interested in reviewing the general permit application may contact Lisa D. Houser, P.E., Environ-

mental Engineer Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3752. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP 14-23-0127: Donohue Funeral Home (8401 West Chester Pike, Upper Darby, PA 19082-1104) on November 5, 2019 for use of a B&L Cremation Systems, Inc. model No. N-20AA and a secondary Chamber Burner in Upper Darby Township, **Delaware County**.

GP1-46-0258: GlaxoSmithKline, LLC (1250 S. Collegeville Road, Collegeville, PA 19426) on November 21, 2019 for a small gas & No. 2 oil fired combustion units in Upper Providence, **Montgomery County**.

GP3-46-0162: Ratoskey & Trainer (Gill Quarries) (240 Flint Hill Road, King Prussia, PA 19406) On November 21, 2019 for a portable product screen as part of crushing plant in East Norriton, **Montgomery County**.

GP9-46-0106: Ratoskey & Trainer (Gill Quarries) (240 Flint Hill Road, King Prussia, PA 19406) on November 21, 2019 for a diesel engine associated with a portable product screen in East Norriton, **Montgomery County**.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP3-39-013: Catanzaro & Sons Enterprise (10 Gregory Drive, Montville, NJ 07045-9554) on November 19, 2019 for the construction and operation of a portable crushing operation with water sprays at the Martin Tower site located in Bethlehem, **Lehigh County**.

GP11-39-013: Catanzaro & Sons Enterprise (10 Gregory Drive, Montville, NJ 07045-9554) on November 19, 2019 for the construction and operation of a diesel engines at the Martin Tower site located in Bethlehem, **Lehigh County**.

AG5-58-00016A: Williams Field Services LLC (310 State Route 29, Tunkhannock, PA 18657) on November 19, 2019 for the continued operation of the Zick Compressor Station located in Lenox Twp., **Susquehanna County**.

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

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

GP2-41-653: NALCO Company LLC (7705 Highway 90-A, Sugarland, TX 77478) on November 19, 2019, pursuant to the General Plan Approval and General Operating Permit BAQ-GPA/GP-2 Storage Tanks for Vola-

tile Organic Liquids was authorized operation of their Hughesville Tank Farm located in Hughesville Borough, **Lycoming County**.

AG5A-53-00001A: JKLM Energy, LLC (2200 Georgetowne Drive, Suite 500, Sewickley, PA 15143) on November 13, 2019, was issued an authorization for the construction and operation of sources at the Reese Hollow 117 Well Pad in Sweden Township, **Potter County**, pursuant to the PA DEP Air Quality General Plan Approval and General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A).

AG5A-53-00002A: JKLM Energy, LLC (2200 Georgetowne Drive, Suite 500, Sewickley, PA 15143) on November 18, 2019, was issued an authorization for the construction and operation of sources at the Headwaters 145 Well Pad in Ulysses Township, **Potter County**, pursuant to the PA DEP Air Quality General Plan Approval and General Operating Permit for Unconventional Natural Gas Well Site Operations and Remote Pigging Stations (BAQ-GPA/GP-5A).

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

Contact: William Charlton, New Source Review Chief—Telephone: 412-442-4174.

GP5-30-00171C (AG5A-30-00011A): Range Resources Appalachia, LLC (3000 Town Center Boulevard, Canonsburg, PA 15317) on November 1, 2019, received authorization under GP-5 for construction and/or operation of sources and controls associated with its Apted Compressor Station located in Greene Township, **Greene County**.

GP5-30-00216B (AG5-30-00012A): Regency Marcellus Gas Gathering, LLC (101 West Third Street, Williamsport, PA 17701) on November 14, 2019, received authorization under GP-5 for construction and/or operation of sources and controls associated with its Milesky Compressor Station located in Center Township, **Greene County**.

GP5-30-00252 (AG5-30-00009A): EQM Gathering OPCO, LLC (2200 Energy Drive, Canonsburg, PA 15317) on May 10, 2019, received authorization under GP-5 for construction and/or operation of sources and controls associated with its Snapping Turtle Compressor Station located in Richhill Township, **Greene County**.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

GP3-32-405C: Britt Energies Inc., Kinkead Aggregates Quarry (2311 Rt 56 Highway East, Homer City, PA 15748) on November 14, 2019, for the proposed renewal of a portable nonmetallic mineral processing plant (Source 105) consisting of two crushers, four vibratory screens, and 23 conveyors. (BAQ-GPA/GP-3) located at their facility in Center Township, **Indiana County**.

GP11-37-332M: Amerikohl Aggregates, Inc—McMillin Mine (1384 State Route 711, Stahlstown, PA 15687) on November 20, 2019, for the authority to construct and operate a Caterpillar C13 engine (Source 103A) (GP-11) (BAQ-GPA/GP-11) located at their facility in Wayne Township, **Lawrence 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.

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

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

48-00114A: UGI Bethlehem LNG LLC (835 Knitting Mills Way, Wyomissing, PA 19610) on November 4, 2019 for the construction and operation of a natural gas peak delivery facility designed to supply natural gas to the distribution system during peak demand in extreme cold weather conditions in the city of Bethlehem, **Northampton County**.

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

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

60-00026A: GAF Keystone, LLC (14911 Quorum Dr., Ste. 600, Dallas, TX 75254) on November 14, 2019, to construct and operate a polyisocyanurate (ISO) foam board manufacturing operation in White Deer Township, **Union County**. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 60-00026A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

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

23-0014I: Kimberly-Clark of PA, LLC (1 Avenue of the States, Chester, PA 19013) on November 5, 2019, for a minor modification to a cogeneration system plan approval. This minor modification is for a change in the SCR NO_x monitoring location and to change all 3-hour block monitoring averages to 3-hour rolling averages. The plan approval will include emission limits, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The facility is located in City of Chester, **Delaware County**.

46-0037AB: Global Advanced Metals (1223 County Line Road, Boyertown, PA 19512) on November 21, 2019, for extracts and refine tantalum ore and recycled materials in Douglass Township, **Montgomery County**.

46-0172F: Gemalto Inc. (101 Park Drive, Montgomeryville, PA 18936-9613) on November 18, 2019 to replace existing Sakurai Silk Screen Press 102B with a new Sakurai Silk Screen Press equipped with camera system 102C in Montgomery Township, **Montgomery County**.

09-0174G: Liberty Coating Co. LLC (21 Steel Road S, Morrisville, PA 19067-3614) on November 20, 2019 for the installation of an interior abrasive blasting and

exterior abrasive blasting operation with dust collector in Falls Township, **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.

67-05004S: Pixelle Specialty Solutions, LLC (228 South Main Street, Spring Grove, PA 17362) on November 14, 2019, for the construction of two (2) Babcock & Wilcox (B&W), (372.6 and 358.3 MMBtu per hour each), natural gas fired boilers and the installation of a hydrated lime injection system to reduce HCl emissions from Power Boiler No. 5, with associated equipment including, but not limited to, a storage silo and pneumatic conveying system at the paper mill facility located in Spring Grove Borough, **York County**. The plan approval was extended.

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

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

14-00002S: Graymont (PA), Inc. (375 Graymont Rd., Bellefonte, PA 16823) was issued an extension to the plan approval that allows the permittee to use natural gas as a fuel option for Kilns 6&7 and that established the NO_x and CO Plantwide Applicability Limits (PALs). These kilns are located at their Pleasant Gap plant in Spring Township, **Centre County**. The extension is valid for 180 days from the date of the previous plan approval extension to allow for completion of the compliance evaluation, in accordance with 25 Pa. Code § 127.12b. The plan approval has been extended to June 5, 2020 (from December 8, 2019).

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

Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-5226.

PA-65-00080A Extension: Duraloy Technologies, Inc. (120 Bridge Street, Scottsdale, PA 15683-1748) plan approval extension issuance date effective November 28, 2019, for obtaining SOOP from the Department and to allow Source Testing Section to review emission test performed upon the Foundry Sand Reclamation Unit Stack at their Scottsdale facility located in Scottsdale Borough, **Westmoreland County**.

PA-63-00936F: MarkWest Liberty Midstream & Resources, LLC (1515 Arapahoe Street, Tower 1, Suite 1600, Denver, CO 80202) on November 19, 2019, to extend the period of temporary operation of the Houston Gas Plant located in Chartiers Township, **Washington County**. The new expiration date is May 28, 2020.

PA-26-00575A: Green Ridge Cemeteries, Inc. (2901 Memorial Blvd., Connellsville, PA 15425) plan approval extension effective on November 28, 2019, with expiration date of May 28, 2020, to extend the period of temporary operation of the crematory at the referenced facility in Bullskin Township, **Fayette County**.

PA-30-00072I: CONSOL Pennsylvania Coal Company, LLC (1000 Consol Energy Drive, Canonsburg, PA 15317) plan approval extension effective on November 28, 2019, with expiration date of May 28, 2020, to extend the period of temporary operation for sources and controls associated with the Enlow Fork Overland Conveyor lo-

cated in Richhill Township, **Greene County** and East Finley Township, **Washington County**.

PA-30-00072H: CONSOL Pennsylvania Coal Company, LLC (1000 Consol Energy Drive, Canonsburg, PA 15317) plan approval extension effective on November 28, 2019, with expiration date of May 28, 2020, to extend the period of temporary operation for sources and controls associated with the Bailey Prep Plant expansion located in Richhill Township, **Greene County**.

PA-30-00195: Equitrans, LP (2200 Energy Drive, Canonsburg, PA 15317) plan approval extension effective on November 28, 2019, with expiration date of May 28, 2020, to extend the period of temporary operation for sources and controls at the Jefferson Compressor Station located in Jefferson Township, **Greene County**.

PA-30-00089D: Dominion Transmission, Inc. (5000 Dominion Boulevard—2NW, Glen Allen, VA 23060) for extension effective November 28, 2019, to extend the period of construction and temporary operation of two natural gas-fired compressor turbines controlled by an oxidation catalyst, microturbine generators, boiler, one produced fluids storage tank, 2,500 gallon capacity; one lube oil tank, 1,000 gallon capacity; and piping components in natural gas service authorized under PA-30-00089D, until May 28, 2020, at the Crayne Compressor Station located in Franklin Township, **Greene County**.

PA-26-00588B: Laurel Mountain Midstream Operating, LLC (2000 Commerce Dr., Park Place Corporate Center 2, Pittsburgh, PA 15275) extension effective November 28, 2019, to extend the period of installation and continued temporary operation of three (3) compressor engines, two (2) gas-fired turbines, one (1) emergency generator, two (2) dehydrators, two (2) reboilers, one (1) glycol processing unit, and five (5) produced water storage tanks authorized under plan approval PA-26-00588B, until May 28, 2020, at Shamrock Compressor Station located in German Township, **Fayette County**.

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

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

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

47-00003: Department of Public Welfare—Danville State Hospital (200 State Hospital Drive, Danville, PA 17821-9198). On November 13, 2019 the Department issued a renewal Title V Operating Permit for the Danville Ste Hospital located in Mahoning Township, **Montour County**. The permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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.

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

Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.

13-00016: Haulmark Trailers of PA, Inc. (6 Banks Avenue, McAdoo, PA 18237-2507). The Department issued, on 11/19/19, a State-Only Operating Permit for operation of sources at a fabricated structural metal manufacturing facility in Banks Township, **Carbon County**. The sources include a paint booth and dryer controlled by panel filters. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

39-00094: Blend Pro, Inc. (601 South Tenth Street, Suite 300, Allentown, PA 18103). The Department issued, on 11/19/19, a State-Only Operating Permit for operation of sources at a dry mix concrete manufacturing facility in the City of Allentown, **Lehigh County**. The sources include storage silos and raw material receivers controlled by bin vents and baghouses. Exempt sources include weighing, mixing, and filling operations which are not exhausted outdoors. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

40-00128: InterMetro Industries Corporation (1101 North Washington Street, Wilkes-Barre, PA 18705-1817). The Department issued, on 11/20/19, a State-Only Operating Permit for operation of sources at a miscellaneous fabricated wire product manufacturing operation in Wilkes-Barre City, **Luzerne County**. The sources include a burn off oven, cleaning tanks, plating tanks, chromate coating tanks, electropolishing tanks, arc welding, a silicone sealant booth, and emergency generators. The operating permit contains all applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

01-05006: Orrtanna Power, LLC (315 Riegelsville Road, Milford, NJ 08848-1888) on November 14, 2019, for the Orrtanna electric generating station located in Highland Township, **Adams County**. The State-Only permit was renewed.

01-03007: PCA Corrugated & Display LLC (104 Commerce Street, New Oxford, PA 17350-1702) on November 8, 2019, for the corrugated and laminated paper material manufacturing facility located in New Oxford Borough, **Adams County**.

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

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

14-00020: Hanson Aggregates PA, LLC (7660 Imperial Way, Allentown, PA 18195) on November 12, 2019 was issued a renewal State Only operating permit for the Oak Hall Quarry Plant 141 located in College Township, **Centre County**. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

49-00055: Jeff's Auto Body & Recycling Center, Inc. (5446 Snyderstown Road, Paxinos, PA 17860-7534) was issued on November 13, 2019, a State Only permit renewal for continued operation of their facility in Shamokin Township, **Northumberland County**, which is involved in secondary aluminum production. All applicable Federal and State regulatory requirements including testing, monitoring, recordkeeping, reporting, and work practice conditions to assure compliance with the applicable requirements have been included in the permit.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

10-00326: Oesterling Sandblasting & Painting, Inc. (686 Glenwood Way, Butler, PA 16001-8422), on November 20, 2019 the Department issued the renewal of the State Only Operating Permit for the facility located in Center Township, **Butler County**. The facility is a Natural Minor. The primary sources at the facility include abrasive blasting operations, two (2) paint booths for spray painting, and natural gas fueled space heaters. The potential emissions from the facility are less than the Title V thresholds. The permit includes a federally enforceable restriction on VOC emissions not to exceed 20 tons per year. The permit renewal contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

25-00979: National Fuel Gas Supply Corporation, Carter Hill Station (12146 Follett Rd, Corry, PA 16407). On November 12, 2019, the Department issued the renewal State Only Natural Minor Operating Permit for the compressor station and gas processing plant located in Wayne Township, **Erie County**. The facility's primary emission sources include two (2) natural gas-fired 4SRB internal combustion engines (165 HP and 600 HP) to drive compressor units that pump natural gas through the system, a 75 HP natural gas-fueled emergency generator, the tri-ethylene glycol (TEG) dehydrator, tanks/vessels, facility fugitive VOCs, and heaters/reboilers (dehydrator reboiler, hot water boilers, and pipeline heaters). The potential emissions of the primary pollutants from the facility are as follows: 77.75 TPY (tons per year) NO_x, 92.02 TPY CO, 45.36 TPY VOC, 5.59 TPY total HAPs, 0.28 TPY filterable PM₁₀ and PM_{2.5}, and 0.02 TPY SO_x; thus, the facility is a natural minor. All three engines are subject to 40 CFR 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The renewal permit contains emission restrictions, recordkeeping, work practices, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

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

Contact: Norman Frederick, Facility Permitting Chief—Telephone: 570-826-2409.

40-00018: Transcontinental US LLC (3 Maplewood Drive, Hazle Township, PA 18202) on July 17, 2019, for the facility located in Hazle Township, **Luzerne County**.

This Synthetic Minor operating permit was administratively amended to reflect a change in the name of the facility.

45-00002: WestRock Converting Company, LLC (P.O. Box 770, Paper Mill Road, Delaware Water Gap, PA 18327) on November 19, 2019, for the facility located in Smithfield Township, **Monroe County**. This Title V operating permit was administratively amended to reflect a change of Responsible Official.

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

Contact: Muhammad Q. Zaman, Program Manager; 570-327-3648.

53-00007: Dominion Energy Transmission Inc. (5000 Dominion Boulevard, Glenn Allen, VA 23060) issued a revised Title V operating permit on November 18, 2019, for a change in the responsible official and permit contact person for the State Line Station. This facility is located in Genesee Township, **Potter County**.

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

Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-5226.

TV-63-00015: Flexsys America L.P. (829 Route 481, Monongahela, PA 15063). Administrative Amendment, issued on November 19, 2019, to correct four (4) typographical errors in the Title V Operating Permit for the Monongahela Plant. The facility is located in Carroll Township, **Washington County**.

OP-04-00061: Nalco Company/Ellwood City North/South Plants (125 Nalco Way, Ellwood City, PA 16117). Administrative Amendment, issued on November 18, 2019, to incorporate the applicable conditions of plan approval 04-00061B into the State-Only operating permit. The plan approval was for a replacement baghouse in the South Furnace Room. The Nalco Company's Ellwood City plants are located in Franklin Township, **Beaver County**.

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

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940.

25-00025: Wabtec US Rail Inc., GE Transportation Erie Plant (Bldg 9, Rm 201, 2901 E. Lake Rd., Erie, PA 16531-0001). The Department on November 21, 2019, issued an administrative amendment of the Title V Operating Permit for the GE Transportation Erie facility to incorporate the change of responsible official and correct a typographical error. The facility is located in Lawrence Park Township, **Erie County**.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

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

06-05007: Carpenter Technology Corp. (101 Bern Street, Reading, PA 19601). Pursuant to 25 Pa. Code § 127.449(i), this *Pennsylvania Bulletin* Notice is for de minimis emissions increase of 0.014 TPY of VOC resulting from the installation of a prototype lab in the Reading

Plant located in Reading City, **Berks County**. This is the first de minimis emissions increase at the facility during the term of the current operating permit.

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

Contact: William Charlton, New Source Review Chief—Telephone: 412-442-4174.

04-00033: NOVA Chemical Inc. (400 Frankfort Road, Monaca, PA 15061) on November 1, 2019, received an approval for a de minimis emissions increase pursuant to 25 Pa. Code § 127.449 of 0.12 ton of VOCs and 0.12 ton of HAPs resulting from reactivation of two (2) PES (polyethylene-styrene) Line 1 Reactors Nos. 203 and 205 at its Beaver Valley Plant located in Potter Township, **Beaver County**. The list of de minimis increases for this facility includes only this project.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

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

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

17-00027: River Hill Coal Co., Inc. (P.O. Box 141, Kylertown, PA 16847) on November 14, 2019, terminated the Air Quality operating permit for their operations at the Belford Siding plant in Karthaus Township, **Clearfield County**, as the source equipment on site have been removed. State Only Permit No: 17-00027 is terminated.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.31); 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); the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21). 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 such applications will also address the application permitting requirements of the following statutes; the Air Quality 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).

Coal Permits Issued

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

03951601 and NPDES Permit No. PA0002275. Murray Keystone Processing, Inc. formerly Keystone Coal Mining Corporation, 46226 National Road, St. Clairsville, OH 43950, to renew the NPDES permit for the Keystone Cleaning Plant located in Plumcreek Township, **Armstrong County**. No additional discharges. The application was considered administratively complete on October 7, 2015. Application received: June 23, 2015. NPDES Permit issued: November 15, 2019.

30841316 and NPDES Permit No. PA0213535. Consol Pennsylvania Coal Company LLC, 1000 Consol Energy Drive, Canonsburg, PA 15317, to revise the permit and related NPDES Permit for installation of two (2) degas boreholes for the Bailey Mine & Prep Plant located in Richhill Township, **Greene County**, affecting 5.8 surface acres. No additional discharges. The application was considered administratively complete on June 18, 2019. Application received: May 14, 2019. Permit issued: November 15, 2019.

30121301 and NPDES Permit No. PA0236195. Consol Pennsylvania Coal Company LLC, 1000 Consol Energy Drive, Canonsburg, PA 15317, to revise the permit and related NPDES Permit to install a degas borehole for the Harvey Mine located in Richhill and Morris Townships, **Greene County**, affecting 4.4 surface acres. No additional discharges. The application was considered administratively complete on March 20, 2018. Application received: September 29, 2017. Permit issued: November 18, 2019.

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

56090109. Wilson Creek Energy, LLC (1576 Stoystown Road, P.O. Box 26, Friedens, PA 15541). Permit renewal for reclamation only of a bituminous surface and auger mine located in Lincoln Township, **Somerset County** affecting 30.4 acres. Receiving stream(s): unnamed tributaries to Quemahoning Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority. Application received: September 26, 2019. Permit issued: November 15, 2019.

11020202 and NPDES No. PA0249254. Ebensburg Power Company, 224 Grange Hall Road, Armagh, PA 15920, permit renewal for the continued operation and restoration of a bituminous surface mine located in Nanty Glo Borough, **Cambria County**, affecting 48.2 acres. Receiving streams: tributary to South Branch Blacklick Creek to Blacklick Creek to Two Lick Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 4, 2019. Permit issued: November 15, 2019.

56190102 and NPDES No. PA0279706. Fieg Bros., P.O. Box 38, Berlin, PA 15530, commencement, operation and restoration of a bituminous surface and auger mine in Somerset Township, **Somerset County**, affecting 29 acres. Receiving streams: unnamed tributary to Kimberly Run to Coxes Creek to Casselman River, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 1, 2019. Permit issued: November 19, 2019.

4072SM11 and NPDES No. PA0248886. Penn Coal Land, Inc., P.O. Box 68, Boswell, PA 15531, permit renewal for reclamation only of a bituminous surface mine in Summit Township, **Somerset County**, affecting 199 acres. Receiving stream(s): unnamed tributary to Miller Run, classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 8, 2019. Permit Issued: November 20, 2019.

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

Permit No. 54870102R6. Joe Kuperavage Coal Company (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 106.1

acres. Receiving stream: Wheeler Creek. Application received: June 18, 2019. Renewal issued: November 20, 2019.

Permit No. PAM114002R. Joe Kuperavage Coal Company (916 Park Avenue, Port Carbon, PA 17965), renew coverage under the General NPDES Permit for Stormwater Discharges Associated With Mining Activities (BMP GP-104) on Surface Mining Permit No. 54870102 in Blythe Township, **Schuylkill County**, receiving stream: Wheeler Creek. Application received: June 18, 2019. Renewal issued: November 20, 2019.

Permit No. 54921601R5. Gale Mining Company (1441 Oak Road, Pottsville, PA 17901), renewal of an existing anthracite coal preparation plant operation in Rush Township, **Schuylkill County** affecting 17.1 acres. Receiving stream: unnamed tributary to Little Schuylkill River. Application received: July 15, 2019. Renewal issued: November 20, 2019.

Permit No. PAM114003R. Gale Mining Company (1441 Oak Road, Pottsville, PA 17901), renew coverage under the General NPDES Permit for Stormwater Discharges Associated With Mining Activities (BMP GP-104) on Surface Mining Permit No. 54921601 in Rush Township, **Schuylkill County**, receiving stream: unnamed tributary to Little Schuylkill River. Application received: July 15, 2019. Renewal issued: November 20, 2019.

Noncoal Permits Issued

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

65930401 and NPDES Permit No. PA0200492, Hanson Aggregates BMC, Inc., 2200 Springfield Pike, Connellsville, PA 15425-9503. Permit issued for continued mining of a large noncoal surface mine located in Ligonier and Derry Townships, **Westmoreland County**, affecting 172.6 acres. Receiving stream(s): unnamed tributaries to Loyalhanna Creek and Loyalhanna Creek. Application received: January 31, 2019. Permit issued: November 19, 2019.

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

Permit No. 67680301C14 and NPDES Permit No. PA0010235, York Building Products Company, Inc. (950 Smile Way, Suite A, York, PA 17404), renewal of NPDES Permit for discharge of treated mine drainage in City of York and West Manchester Township, **York County**, receiving stream: Willis Run. Application received: December 12, 2018. Renewal issued: November 19, 2019.

Permit No. 8274SM6C6 and NPDES Permit No. PA0595349. Pennsy Supply, Inc. (2400 Thea Drive, Suite 3A, Harrisburg, PA 17110), correction to an existing quarry operation to add 7.47 acres for support for a total of 248.22 acres and increase the Average Daily Discharge Rate from 5.62 to 13.07 MGD in East Hempfield Township, **Lancaster County**, receiving stream: unnamed tributary to Little Conestoga Creek. Application received: March 15, 2019. Correction issued: November 20, 2019.

Permit No. 36820301C13 and NPDES Permit No. PA0612171. H & K Group, Inc. (P.O. Box 196, Skippack, PA 19474), renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Brecknock Township, **Lancaster County**, receiving stream: unnamed tributary to Black Creek. Application received: May 22, 2017. Renewal issued: November 21, 2019.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Issued

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

59194107. Maurer & Scott Sales, Inc. (122 Thomas Street, Coopersburg, PA 18036-2100). Blasting to make a silage pit area at Sweetbriar Farms LLC located in Charleston Township, **Tioga County** with an expiration date of November 12, 2020. Permit issued: November 15, 2019.

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

Permit No. 38194114. Maine Drilling & Blasting, Inc. (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Brandt Lot 2 in South Anville Township, **Lebanon County** with an expiration date of October 28, 2020. Permit issued: November 15, 2019.

Permit No. 36194157. J Roy's, Inc. (P.O. Box 125, Bowmansville, PA 17507), construction blasting for Willow Valley Southpoint in West Lampeter Township, **Lancaster County** with an expiration date of November 10, 2020. Permit issued: November 20, 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.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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.

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

Contact: Elaine Henderson, Clerk Typist 3, 484.250.5157.

Permit No. E15-913, East Whiteland Township, 209 Conestoga Road, Frazer, PA 19355, East Whiteland Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain a 10-inch sanitary sewer about 1,260 feet long extension to an existing pump station along the floodway/floodplain of the UNT to Valley Creek (EV-MF) associated with the Chester Valley Golf Course Sewer Extension Project. The site is located along the Chester Valley Golf Course (Malvern, PA, USGS Quadrangle, Latitude: 40.040911; Longitude: -75.559886) in East Whiteland Township, Chester County.

Permit No. E15-903, Brandywine Station, LLC, 707 Eagleview Boulevard, Exton, PA 19341, Downingtown Borough and East Caln Township, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the floodway/floodplain of the East Branch of Brandywine Creek (WWF, MF), including tributaries, associated with the River Station Mixed-Use Redevelopment—Phase 2.

1. To construct and maintain a 10-foot wide pedestrian bridge situated above the floodway measuring approximately 125 feet in length.
2. Removal of an existing water control structure, utility pipe crossing, and pedestrian bridge from the former mill raceway.
3. To construct and maintain two stormwater outfall structures along the stream and the stormwater ditch.
4. Construction of recreational trail in the southwest portion of the Project Site, including associated 8-foot wide pedestrian bridge over the old mill raceway.
5. Construction of walkway improvements in Johnstown Park, and earthwork/grading activities.

The site is located at about 2,000 feet southeast of the intersection of Lancaster Avenue (Route 30) and Manor Avenue (Route 322), (USGS Downingtown, PA, Quadrangle Latitude 40.001045; Longitude -75.703665) in Downingtown Borough and East Caln Township, Chester County.

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Edward Muzic, Section Chief, 717.705.4802.

E21-467: Cumberland County, 310 Allen Road, Suite 101, Carlisle, PA 17013-3323 in Silver Spring Township, **Cumberland County**, ACOE Baltimore District.

To remove the existing structure and construct and maintain a three-span composite pre-stressed concrete spread box beam bridge structure with a span of 260 feet, an out-to-out width of 37.9 feet, and an average under clearance of 11.8 feet carrying Sample Bridge Road over Conodoguinet Creek (WWF) in Silver Spring Township, Cumberland County (Latitude: 40.255130, Longitude: -77.018468). The permit also authorizes Erosion and Sediment control measures including cofferdams and causeways. The purpose of the project is to replace a structurally deficient structure and to improve roadway geometry. No wetland impacts are permitted. The permit was issued on November 20, 2019.

E22-648: SUEZ Water Pennsylvania, 4211 East Park Circle, Harrisburg, PA 17111, in Susquehanna Township, **Dauphin County**, ACOE Baltimore District.

To construct a new pump station and meter/PRV chamber at the existing raw water pump station in Susquehanna Township, Dauphin County. The permit was issued on November 19, 2019.

Southwest Region: Dana Drake, Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E65051-998, PennDOT District 12-0, 825 North Galatin Avenue Extension, Uniontown, PA 15401, Ligonier Township, **Westmoreland County**, Pittsburgh ACOE District.

Has been given consent to:

Operate and maintain a 98 LF, 60" HDPE pipe, with adjacent endwalls and rock aprons, that conveys an unnamed tributary (UNT) to Loyalhanna Creek (CWF), under S.R. 2043 (Darlington Road), as a replacement for a 50.8 LF, 36" Corrugated Metal Pipe. This work was

previously completed under emergency permit No. EP6517203, for the purpose of replacing a structurally deficient culvert. The project permanently impacted 135 LF of UNT to Loyalhanna Creek.

Northwest Region: District Oil & Gas Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

E43-08-009, Diamond Oilfield Technologies, LLC, 4494 Warren Sharon Road, Vienna, OH 44473. Morgante Property, in Pine Township, **Mercer County**, ACOE Pittsburgh District, Grove City, PA Quadrangle N: 41°, 11', 0.86"; W: 80°, 03', 45.43".

The project involves the installation of a 1.25" gas pipeline between two wells. The proposed project impacts in Mercer County include a total of 0.008 acre of permanent impact and 0.03 acre of temporary impact to Palustrine Emergent (PEM) wetland(s) and 0.04 acre of permanent impact and 0.03 acre of temporary impact to Palustrine Scrub-Shrub (PSS) wetland(s).

Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

E4129-128: Rockdale Marcellus, LLC, 4600 J. Barry Court, Suite 120, Canonsburg, PA 15317-5426. Lycoming Creek Surface Water Withdrawal and Waterline in McIntyre Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate and maintain a temporary 8-inch diameter surface water withdrawal (SWW) and 16-inch diameter temporary above ground waterline (TAGWL) along Lycoming Creek and Red Run in McIntyre Township, Lycoming County. TAGWL will be placed directly on the ground surface along Red Burn Road.

The project will result in a total of 31 LF (228 SF) of temporary stream impacts and 3,662 SF (0.0841 acre) of permanent and 4,632 SF (0.1063 acre) of temporary floodway impacts all for the purpose of constructing an 8-inch SWW waterline under Lycoming Creek and 16-inch TAGWL to expand freshwater pipeline systems for Marcellus well development.

Stream Impact Table:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Listed Trout</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Lycoming Creek	McIntyre Ralston	Withdrawal System Crossing # 1	CWF; EV	Stocked & Wild	187	12			41.510133 76.952507
UNT Red Run	McIntyre Ralston	16-inch TAGWL Crossing # 2	CWF	None	2	2			41.514522 76.963986
UNT Red Run	McIntyre Ralston	16-inch TAGWL Crossing # 3	CWF	None	2	2			41.516562 76.965881
UNT Red Run	McIntyre Ralston	16-inch TAGWL Crossing # 4	CWF	None	5	3			41.524412 76.969850
Red Run	McIntyre Ralston	16-inch TAGWL Crossing # 5	CWF	None	32	12			41.525777 76.972760
TOTAL IMPACTS					228	31			

Floodway Impact Table:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Listed Trout</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Lycoming Creek	McIntyre Ralston	Withdrawal System Crossing # 1	Stocked & Wild	2,181	94	3,662	79	41.510133 76.952507
UNT Red Run	McIntyre Ralston	16-inch TAGWL Crossing # 2	None	290	217			41.514522 76.963986
UNT Red Run	McIntyre Ralston	16-inch TAGWL Crossing # 3	None	560	420			41.516562 76.965881
UNT Red Run	McIntyre Ralston	16-inch TAGWL Crossing # 4	None	308	115			41.524412 76.969850
Red Run	McIntyre Ralston	16-inch TAGWL Crossing # 5	None	1,293	484			41.525777 76.972760
TOTAL IMPACTS				4,632	1,330	3,662	79	

E4129-129: ARD Operating LLC, 33 West Third Street, Suite 300, Williamsport, PA 17701. Gayla D. Loch Pad A Gathering Line in Cogan House Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate and maintain approximately 1.88-mile (9,931 LF) of 8-inch diameter flex steel natural gas pipeline in Cogan House Township—Lycoming County. The pipeline will be placed via open cut trenching within existing 50' permanent ROW. The purpose of this project is to provide a conveyance of natural gas between the Gayla D. Loch Pad A and Martin Pad A to Knipsel Valve pipeline.

The project will result in a total of 15 LF (176 SF) of permanent and 330 LF (2,476 SF) of temporary stream impacts, 2,268 SF (0.00521 acre) of permanent and 39,481 SF (0.9064 acre) of temporary floodway impacts and 11,306 SF (0.2596 acre) of temporary wetland impacts all for the purpose of constructing a natural gas pipeline for Marcellus well development.

Stream Impact Table:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Chapter 93</i>	<i>Listed Trout</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Wolf Run	Cogan House White Pine	8-inch Pipeline Temp. Workspace	HQ-CWF EV	Wild	781	47	66	3	41.439267 77.179855
UNT 3A Wolf Run	Cogan House White Pine	8-inch Pipeline Temp. Workspace	HQ-CWF, EV	Wild	272	47	19	3	41.439505 77.173581
UNT 3B Wolf Run	Cogan House White Pine	8-inch Pipeline Temp. Workspace	HQ-CWF, EV	Wild	173	57	9	3	41.444692 77.171334
UNT 5 Wolf Run	Cogan House White Pine	8-inch Pipeline Temp. Workspace	HQ-CWF, EV	Wild	702	132	49	3	41.439531 77.172567
UNT 6 Wolf Run	Cogan House White Pine	8-inch Pipeline Temp. Workspace	HQ-CWF, EV	Wild	548	47	33	3	41.443161 77.168611
Wolf Run	Cogan House White Pine	8-inch Pipeline Temp. Workspace	HQ-CWF, EV	Wild	781	47	66	3	41.439267 77.179855
TOTAL IMPACTS					2,476	330	176	15	
TOTAL STREAM IMPACTS					1,601	141	118	9	
TOTAL WAIVER 2 IMPACTS					875	189	58	6	

Wetland Impact Table:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Cowardin Class</i>	<i>Listed Trout</i>	<i>Total Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Total Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Wetland 4	Cogan House White Pine	8-inch Pipeline Temp. Workspace	PEM; EV	Wild	2,425	50			41.439328 77.179751
Wetland 5	Cogan House White Pine	8-inch Pipeline Temp. Workspace	PEM; EV	Wild	698	20			41.439241 77.179897
Wetland 6	Cogan House White Pine	8-inch Pipeline Temp. Workspace	PEM; EV	Wild	2,509	50			41.439505 77.173642
Wetland 8	Cogan House White Pine	8-inch Pipeline Temp. Workspace	PSS/PEM; EV	Wild	1,038	47			41.439507 77.173540
Wetland 9	Cogan House White Pine	8-inch Pipeline Temp. Workspace	PSS/PEM; EV	Wild	771	20			41.439513 77.173277
Wetland 10	Cogan House White Pine	8-inch Pipeline Temp. Workspace	PEM; EV	Wild	951	60			41.444688 77.171317
Wetland 11	Cogan House White Pine	8-inch Pipeline Temp. Workspace	PEM; EV	Wild	2,914	60			41.448343 77.170577
TOTAL IMPACTS					11,306	307			
PEM					11,306	307			
PSS									
PFO									

Floodway Impact Table:

<i>Resource Name</i>	<i>Municipality Quadrangle</i>	<i>Activity</i>	<i>Impact Area Temp. (SF)</i>	<i>Impact Length Temp. (LF)</i>	<i>Impact Area Perm. (SF)</i>	<i>Impact Length Perm. (LF)</i>	<i>Lat. Long.</i>
Wolf Run	Cogan House White Pine	8-inch Pipeline Temporary Workspace	2,776		188		41.439267 77.179855
UNT 1 Wolf Run	Cogan House White Pine	8-inch Pipeline Temporary Workspace	1,219				41.439285 77.185098
UNT 2 Wolf Run	Cogan House White Pine	8-inch Pipeline Temporary Workspace	7,646		454		41.438916 77.185098
UNT 3A Wolf Run	Cogan House White Pine	8-inch Pipeline Temporary Workspace	2,380		159		41.439505 77.173581
UNT 3B Wolf Run	Cogan House White Pine	8-inch Pipeline Temporary Workspace	5,678		272		41.444692 77.171334
UNT 3C Wolf Run	Cogan House White Pine	8-inch Pipeline Temporary Workspace	1,538				41.448568 77.170502
UNT 5 Wolf Run	Cogan House White Pine	8-inch Pipeline Temporary Workspace	12,666		825		41.439531 77.172567
UNT 6 Wolf Run	Cogan House White Pine	8-inch Pipeline Temporary Workspace	5,578		370		41.443161 77.168611

Resource Name	Municipality Quadrangle	Activity	Impact Area Temp. (SF)	Impact Length Temp. (LF)	Impact Area Perm. (SF)	Impact Length Perm. (LF)	Lat. Long.
TOTAL IMPACTS			39,481		2,268		

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 # ESX17-129-0007 Renewal
Applicant Name Huntley & Huntley Energy Exploration, LLC

Contact Person Kyle Shirey
Address 501 Technology Drive, Suite 1200
City, State, Zip Canonsburg, PA 15317
County Westmoreland County
Township(s) Upper Burrell Township
Receiving Stream(s) and Classification(s) UNTs to Chartiers Run (TSF) and Chartiers Run (TSF)/Allegheny River Watershed
Secondary Receiving Water—Chartiers Run (TSF)

Northwest Region: Oil and Gas Management, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6860. Contact Mary Slye, Clerical Supervisor, 814-332-6325.

ESCGP-3 # ESG0810190102-00
Applicant Name Pine Run Midstream LLC
Contact Person Cody Salmon
Address 1000 Commerce Drive, Park Place One, Suite 400

City, State, Zip Pittsburgh, PA 15275
County Butler
Township(s) Winfield
Receiving Stream(s) and Classification(s) UNTs to Buffalo Creek (HQ/TSF), Cornplanter Run (HQ/TSF), UNTs to Cornplanter Run (HQ/TSF)
Secondary Waters: Cornplanter Run (HQ/TSF) and Buffalo Creek (HQ/TSF)

Eastern Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

ESCGP-3 # ESG29-113-18-0003(01)
Applicant Name Chesapeake Appalachia LLC
Contact Person Eric Haskins
Address 14 Chesapeake Lane
City, State, Zip Sayre, PA 18840
County Sullivan & Bradford
Township(s) Colley & Wilmot
Receiving Stream(s) and Classification(s) Wolf Run (CWF)
Secondary: N Branch Mehoopany Ck (CWF)

ESCGP-3 # ESG294119031-00
Applicant Name Beech Resources LLC
Contact Person Donald Stevenson
Address 343 Pine St, Suite 1
City, State, Zip Williamsport, PA 17701
County Lycoming
Township(s) Lycoming & Old Lycoming
Receiving Stream(s) and Classification(s) UNT to Bottle Run (WWF); UNT to Thorn Brook (WWF); UNT to Beautys Run (WWF)
Secondary: Lycoming Ck (EV)

ESCGP-3 # ESG294119033-00
Applicant Name UGI Texas Ck LLC
Contact Person Amber Holly
Address 835 Knitting Mills Way
City, State, Zip Wyomissing, PA 19610
County Lycoming
Township(s) McIntyre
Receiving Stream(s) and Classification(s) UNT to Red Run (CWF)
Secondary: Red Run (CWF)

ESCGP-2 # ESG295819040-00
Applicant Name Susquehanna Gathering Co 1 LLC
Contact Person Paul Corrigan
Address 132 Front St.
City, State, Zip Deposit, NY 13754-1126
County Susquehanna
Township(s) Jackson Twp
Receiving Stream(s) and Classification(s) UNT of Tunkhannock Creek (CWF)
Secondary: Tunkhannock Creek (HQ)

ESCGP-2 # ESG295919018-00
Applicant Name NFG Midstream Wellsboro LLC
Contact Person Randy Pekarski
Address 6393 Main St.
City, State, Zip Williamsville, NY 14221
County Tioga
Township(s) Delmar Twp
Receiving Stream(s) and Classification(s) Norris Brook (EV, MF)
Secondary: Canada Run, East Branch Canada Run, Horse Run, and Right Straight Run

ESCGP-2 # ESG295819028-00
 Applicant Name SWN Prod Co LLC
 Contact Person Marsha Vogel
 Address P.O. Box 12359
 City, State, Zip Spring, TX 77391-2359
 County Susquehanna
 Township(s) Harford Twp
 Receiving Stream(s) and Classification(s) Martins Creek
 (CWF), East Branch Martins Creek (CWF)
 Secondary: Tunkhannock Creek (CWF, MF)

ESCGP-2 # ESG294119032-00
 Applicant Name Beech Resources LLC
 Contact Person Donald Stevenson
 Address 343 Pine Street, Suite 1
 City, State, Zip Williamsport, PA 17701
 County Lycoming
 Township(s) Old Lycoming Twp
 Receiving Stream(s) and Classification(s) UNT to Bottle
 Run (WWF)
 Secondary: Lycoming Creek (EV)

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 Regional Office: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19011, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

Arbill Ind, 51-05199, 2207 W. Glenwood Ave., **City of Philadelphia**. Compliance Management International, Inc., 1350 Welsh Road, Suite 200, North Wales, PA 19454, on behalf of Airbill Industries, 10450 Drummond Road, Philadelphia, PA 19154 submitted a Site Characterization Report 301(b) concerning remediation of soil contaminated with Stoddard solvent. The report is intended to document remediation of the site to meet nonresidential Statewide health standards.

Thomas M Durkin & Sons, 51-02338, 3030 Grant Avenue, **City of Philadelphia**. Aeon Geoscience, Inc., 2120 Bellemead Avenue, Suite 14-2, Havertown, PA 19083-2250 on behalf of Durkin Contracting Company, Inc., 3030 Grant Avenue, Philadelphia, PA 19114 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.

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Pickerel Inn, 52-28255, 1524 State Route 402, Porter Township, **Pike County**, Letterle & Associates, 2022 Axemann Road, Suite 201, Bellefonte, PA 16823, on behalf of Terri Koch, 1524 State Route 402, Dingmans Ferry, PA 18328, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The report is intended to document remediation of the site to meet Statewide Health Standards.

Reformed Church of Bushkill, 5969 Milford Road, Middle Smithfield Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of the Reformed Church of Bushkill, 5969 Milford Road, East Stroudsburg, PA 18302, submitted a Final Report concerning remediation of soil contaminated by a release of number 2 fuel oil from an aboveground storage tank. The report is intended to document remediation of the site to meet Statewide Health Standards.

Penske Truck Leasing, 40-13319, 100 Dessen Drive, Hazle Township, **Luzerne County**, GHD, 410 Eagleview Boulevard, Suite 110, Exton, PA 19341, on behalf of Penske Truck Leasing, 100 Dessen Drive, Hazleton, PA 18201 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with diesel. The report is intended to document remediation of the site to meet Statewide Health Standards.

Sunoco 0004-2184, Storage Tank ID # 35-20320, 915 Wyoming Avenue, Scranton City, **Lackawanna County**. EnviroTrac, 176 Thorn Hill Road, Warrendale, PA 15086, on behalf of Sunoco, Inc., 1109 Milton Avenue, Syracuse, NY 13204, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report is intended to document the remedial actions for meeting Statewide Health Standards.

Mets Mart, Storage Tank ID # 45-00849, 103 Prospect Street, Tobyhanna Township, **Monroe County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Mets Mart, Inc., 103 Prospect Street, Tobyhanna, PA 18466, submitted a Remedial Action Plan concerning remediation of groundwater contaminated with gasoline. The report is intended to document the remedial actions for meeting Statewide Health Standards.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

TJ's Deli Mart # 3, Storage Tank Primary Facility ID # 02-12446, First Street and Clinton Avenue, Oakdale, PA 15071. Oakdale Borough, **Allegheny County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 100, Allison Park, PA 15101, on behalf of Kehm Oil Company, P.O. Box 130, Oakdale, PA 15071, submitted a Remedial Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document the remedial actions for meeting the Residential Site-Specific Standard for soil and groundwater.

Former Chevron Facility # 203876, Storage Tank Facility ID # 65-82885, 111540 Route 30, Irwin, PA 15642, North Huntingdon Township, **Westmoreland County**. Arcadis U.S. Inc., 10 Friends Lane, Suite 100, Newtown, PA 18940, on behalf of Chevron Environmental Management Company (CEMC), 6001 Bollinger Canyon Road, San Ramon, CA 94583 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 Site-Specific Standard.

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

Sheetz 153, 18425 Smock Highway, Meadville, PA 16335, **Crawford County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 16365, on behalf of Sheetz, Inc., 5700 Sixth Avenue, Altoona, PA 16602, submitted a Remedial Action Plan concerning the remediation of site soil and groundwater contaminated with Benzene, Toluene, Ethylbenzene, Xylenes, Cumene, Naphthalene, MTBE, 1,2,4 Trimethylbenzene, 1,3,5 Trimethylbenzene. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Gulf Express, Storage Tank Facility ID # 25-30658, 3804 Liberty Street, City of Erie, **Erie County**. Groundwater and Environmental Services, Inc., 301 Commerce Park Drive, Cranberry Township, PA 16066, on behalf of Evergreen Resources Group, LLC, 2 Righter Parkway, Suite 120, Wilmington, DE 19803, submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, toluene, xylenes, isopropyl benzene, naphthalene, and MTBE. The plan is intended to document the remedial actions for meeting the Statewide Health.

Country Fair 49, Storage Tank Facility ID # 25-90133, 5008 Peach Street, Millcreek Township, **Erie County**. Compliance Environmental Services, P.O. Box 186, West Middlesex, PA 16159, on behalf of United Refining Company of PA, 15 Bradley Street, Warren, PA 16365, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, ethylbenzene, toluene, xylenes, isopropyl benzene, naphthalene, and MTBE. 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:

Southeast Regional Office: Environmental Cleanup & Brownfields Program, 2 East Main Street, Norristown, PA 19401, 484-250-5960.

Contact: Richard Staron, Professional Geologist Manager.

Lukoil 69234, 09-41461, 200 Lincoln Hwy, Pennel Borough, **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 Plan concerning remediation of soil and groundwater contaminated with unleaded gasoline. The Remedial Action Plan was acceptable to meet nonresidential Statewide health and site-specific standards and was approved by the DEP on November 14, 2019.

Lukoil 69267, 51-35251, 220 Franklin Mills Cir., **City of Philadelphia**. 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 petroleum products. The Remedial Action Report was acceptable to meet residential Statewide health standards and was approved by the DEP on November 14, 2019.

Sunoco 0004 7522, 23-30279, 1491 N. Providence Rd., Upper Providence Township, **Delaware County**. Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of Sunoco R&M, 2 Righter Parkway,

Suite 120, Wilmington, DE 19803, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Plan was acceptable to meet site-specific standards and was approved by the DEP on November 18, 2019.

Northeast Region: Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511.

Speedway # 6711, Storage Tank ID # 39-23152, 1518 South Fourth Street, Allentown City, **Lehigh County**. EMS Environmental, 4550 Bath Pike, Bethlehem, PA 18017, on behalf of Speedway LLC, 500 Speedway Drive, Enon, OH 45323, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum. The report was acceptable to meet a combination of Site-Specific and Statewide Health Standards and was approved by DEP on November 8, 2019.

Nelly Travel Plaza, Storage Tank ID # 40-13189, 3765 Nuangola Road, Rice Township, **Luzerne County**, MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Nation Retail Properties, 450 South Orange Avenue, Suite 900, Orlando, FL 32801, submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of groundwater contaminated with gasoline. The report was acceptable to meet a combination of Site-Specific and Statewide Health Standards and was approved by DEP on November 22, 2019.

Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Former Campbells Run Rd Texaco, Storage Tank Primary Facility ID # 02-05278, Campbells Run and Boyce Roads, Pittsburgh, PA 15205, Collier Township, **Allegheny County**. CORE Environmental Services, Inc., 3960 William Flinn Highway, Suite 1000, Allison Park, PA 15101, on behalf of Kehm Oil Company, 1600 Oakdale Road, P.O. Box 130, Oakdale, PA 15071, submitted a Remedial Action Completion Report Addendum concerning remediation of soil and groundwater contaminated with petroleum products. The Remedial Action Completion Report addendum demonstrated attainment of the Site-Specific Standard and was approved by DEP on November 19, 2019.

7-Eleven Store No. 36185, Storage Tank Primary Facility ID # 02-80289, 2269 Noblestown Road, Pittsburgh, PA 15205. City of Pittsburgh, **Allegheny County**. AECOM, 625 West Ridge Pike, Suite E-100, Conshohocken, PA 19428, on behalf of 7-Eleven, Inc., 3200 Hackberry Road, P.O. Box 711, Dallas, TX 75221, submitted a Revised Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The Revised Remedial Action Plan was acceptable to meet the Site-Specific Standard for methyl tert-butyl ether (MTBE) in soil and benzene, toluene, MTBE, and 1,2,4-trimethylbenzene (TMB) in groundwater and the Statewide Health Standard for benzene, toluene, ethylbenzene, total xylenes, cumene, naphthalene, 1,2,4-TMB, and 1,3,5-TMB in soil and ethylbenzene, total xylenes, cumene, naphthalene, and 1,3,5-TMB in groundwater and was approved by DEP on November 19, 2019.

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 Remedial Action Completion Report demonstrated attainment of the Site-Specific Standard and was approved by DEP on November 19, 2019.

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

Sheetz 153, 18425 Smock Highway, Meadville, PA 16335, **Crawford County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 16365, on behalf of Sheetz, Inc., 5700 Sixth Avenue, Altoona, PA 16602, submitted a Remedial Action Plan concerning the remediation of site soil and groundwater contaminated with Benzene, Toluene, Ethylbenzene, Xylenes, Cumene, Naphthalene, MTBE, 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene. The Remedial Action Plan was not acceptable to meet a combination of the Statewide Health and Site-Specific Standards and was disapproved by DEP on November 13, 2019.

Marathon New Castle, Storage Tank Facility ID # 37-05548, 509 Highland Avenue, New Castle, PA 16101, City of New Castle, **Lawrence County**. RAR Engineering Group, Inc., 1135 Butler Avenue, New Castle, PA 16101, on behalf of Banan, Inc., 509 Highland Avenue, New Castle, PA 16101, submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, naphthalene, cumene, total xylenes, 1,2,4-trimethylbenzene (TMB), 1,3,4-TMB and methyl tert-butyl ether. The Remedial Action Plan was acceptable to meet a combination of the Site-Specific and Statewide Health Standards and was approved by DEP on November 15, 2019.

SPECIAL NOTICES

AIR QUALITY

Northwest Region, 230 Chestnut Street, Meadville, PA 16335-3481, 814-332-6945.

42-00004: In accordance with 25 Pa. Code §§ 129.96—129.100, the Pennsylvania Department of Environmental Protection has made a preliminary determination to approve an alternative Reasonably Available Control Technology (RACT II) plan and seeks an approval of an amendment to the State Implementation Plan (SIP) for **American Refining Group**, in Bradford Township, **McKean County**. And in accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection intends to revise a Title V Operating Permit for the facility. The facility is located at 77 N. Kendall Ave, Bradford, PA 16701. The facility's representative to contact concerning this application is Mr. Jason Goodling, HES&S Manager. His phone number is 814-368-1223. The facility is primarily used for the processing of petroleum products. The facility's air emission sources include boilers, process heaters, flares, tanks, waste water treatment, emergency generators, and other ancillary equipment.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in the amended RACT II approval for the facility, which are intended to satisfy the requirements for the 1997, 2008 and 2015 National Ambient Air Quality Standard (NAAQS) for ozone.

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a revised operating permit (42-00004) for the facility. The

relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal; this includes the provisions of the Department's presumptive RACT II requirements in accordance with 25 Pa. Code § 129.97, as they apply to existing sources at this facility.

The following is a summary of the proposed amendments to the RACT II determination for this operation that will be submitted to the EPA as a SIP revision:

<i>Source</i>	<i>RACT II Requirement</i>
Source 033—Boiler 3	NO _x emissions shall not exceed 0.325 lb/MMBtu heat input. Perform an annual adjustment or tune-up including inspection adjustment, cleaning, or replacement of fuel burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer.
Source 034—Boiler 4	NO _x emissions shall not exceed 0.325 lb/MMBtu heat input. Perform an annual adjustment or tune-up including inspection adjustment, cleaning, or replacement of fuel burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer.
Source 041— Crude Unit Heater	NO _x emissions shall not exceed 12.25 lb/hr
Source 043— Platformer Heater	NO _x emissions shall not exceed 0.25 lb/MMBtu
Source 1001— Hydrotreater Unit	VOC testing once every five years. Maintain records of all preventative maintenance inspections of the source. Record throughput of diesel fuel processed by the hydrotreater on a daily basis. Maintain a record of the date and time of: (a) the hydrotreater is operating; (b) The LO-CAT is operating; (c) the hydrotreater is shutdown; (d) The LO-CAT is shutdown. Daily operational inspection of the source.

Public hearing. If requested by January 6, 2020, a public hearing will be held at 10 a.m. on January 14, 2020, to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, please contact Tom Decker at 814-332-6615. The last day to pre-register to speak at a hearing, if one is held, will be January 6, 2020. If we do not receive any pre-registered speakers by this date, the hearing will be cancelled.

Please note that any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at: <http://www.dep.pa.gov/About/Regional/NorthwestRegion/Community-Information/Pages/RACT-II.aspx>.

We ask that you contact Tom Decker, Environmental Community Relations Specialist at 814-332-6615 or monitor our website to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Tom Decker at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and 2 written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit 3 copies of a written statement and exhibits within 10 days thereafter to Eric A. Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335.

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 Eric A. Gustafson, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. A 30-day comment period from December 7, 2019, will exist for the submission of comments, protests and information. Each submission must contain the following information: name, address and telephone number of the person submitting the comments; identification of the proposed permit number 42-00004; and concise statements regarding the relevancy of the information or objections to issuance of the permit or the proposed RACT II Plan.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the DEP Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Appointments for scheduling a review may be made by calling the Department at 814-332-6078.

Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodations to do so should contact Tom Decker, Environmental Community Relations Specialist, at 814-332-6615 or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

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

PAG-02-27-32-19-001, Alverda Enterprises, Inc., 10860 Route 553, P.O. Box 245, Alverda, PA 15710. General NPDES Permit for Stormwater Discharges Associated with Construction Activities on GFCC Permit No. 32-19-01 in Brush Valley Township, **Indiana County.** Receiving stream(s): Aulds Run classified for the following use(s): CWF. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage Received: August 28, 2019. Coverage Approved: November 15, 2019.

[Pa.B. Doc. No. 19-1810. Filed for public inspection December 6, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Availability of National Pollutant Discharge Elimination System General Permit for Discharges of Stormwater Associated with Construction Activities (PAG-02)

Under The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department), by this notice, informs the public of the availability of the final National Pollution Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater Associated with Construction Activities (PAG-02) for a new 5-year term. The PAG-02 General Permit will become effective on December 8, 2019, and will expire on December 7, 2024.

The PAG-02 General Permit is intended to provide NPDES permit coverage to persons proposing an earth disturbance activity (other than agricultural plowing or tilling activities, animal heavy use areas, timber harvesting activities, oil and gas activities and road maintenance activities) involving earth disturbance greater than or equal to 1 acre, or an earth disturbance on any portion, part or during any stage of a larger common plan of development or sale that involves greater than or equal to 1 acre of disturbance, in accordance with 25 Pa. Code § 102.5(a) (relating to permit requirements). The PAG-02 General Permit may not be used for discharges to waters designated for special protection under 25 Pa. Code Chapter 93 (relating to water quality standards) or other discharges that do not meet eligibility requirements of the General Permit.

Notice of the availability of a draft PAG-02 General Permit was published at 49 Pa.B. 4603 (August 17, 2019). A 30-day comment period was provided and interested parties were directed to submit comments to the Department's eComment system. The Department received comments from 12 individuals and organizations during the comment period, and a comment response document has been developed.

All permittees with existing coverage under the PAG-02 General Permit will be covered under the reissued General Permit on December 8, 2019, under the terms of their existing coverage, and will be subject to the terms and conditions of the reissued General Permit as of that date. The Department, or the delegated county conservation district (CCD) that approved PAG-02 coverage, will transmit notification to all existing PAG-02 permittees explaining the changes to the terms and conditions of General Permit coverage and what steps must be taken for continued coverage.

The fees for the PAG-02 General Permit include: (1) a \$500 administrative filing fee that is payable to the appropriate delegated CCD Clean Water Fund or, if earth disturbance will occur in Beaver, Forest or Philadelphia Counties, payable to the Commonwealth of Pennsylvania Clean Water Fund; (2) a disturbed acreage fee calculated by multiplying the number of disturbed acres (rounded to the nearest whole acre) by \$100, payable to the Commonwealth of Pennsylvania Clean Water Fund; and (3) any additional fees that the CCD has established for review of the Notice of Intent (NOI) for PAG-02 coverage, if applicable. The administrative filing fee and disturbed acreage fee do not apply to entities satisfying the criteria for an

exemption under 25 Pa. Code § 102.6(b)(4) (relating to permit applications and fees). Where the CCD will review the NOI, a copy of the NOI must be transmitted to the Department separately, as explained on the PAG-02 NOI checklist (3800-PM-BCW0405c).

The following substantive changes were made to the final PAG-02 General Permit in comparison to the draft PAG-02 General Permit that was published at 49 Pa.B. 4603 on August 17, 2019:

- *General Permit Implementation*—The provision in the draft PAG-02 concerning “required training” was modified for the final PAG-02 to clarify the permittee’s responsibility to ensure that personnel understand any requirements of this General Permit that are relevant to the work they are contracted to perform.

- *Definitions*—Certain definitions have been added or updated in the final PAG-02 for clarity and consistency with existing Department regulations and publications.

- *Prohibition on Certain Discharges*—The draft PAG-02 proposed eligibility criteria concerning discharges to surface waters impaired for siltation, suspended solids or nutrients, with or without a Total Maximum Daily Load, requiring such discharges to use a nondischarge alternative or antidegradation best available combination of technologies (ABACT) best management practices (BMP). The final PAG-02 eligibility criteria identify other, related causes of impairment—turbidity, water/flow variability and flow modifications/alterations—triggering the need for the nondischarge alternative or ABACT BMPs. The final PAG-02 also provides clarification as to the source of impairment information.

- *Proof of Instrument Recording*—The draft PAG-02 proposed that proof that a legal instrument was recorded for post-construction stormwater management BMPs be provided at the time a Notice of Termination is submitted. The final PAG-02 also requires that proof be provided upon submission of a Transfer Application, if a transfer of coverage is requested.

- *Transfer and Co-Permittee Responsibilities*—The final PAG-02 requires permittees who wish to transfer General Permit coverage to complete the Department’s NPDES/WQM Permit Transfer Application (3800-PM-BCW0041b), and permittees who wish to add new operators to complete the Department’s Co-Permittee Acknowledgement Form for Chapter 102 Permits (3800-FM-BCW0271a).

The General Permit package can be accessed through the Department’s eLibrary web site at www.depgreenport.state.pa.us/elibrary/ (select “Permit and Authorization Packages,” then “Clean Water,” then “PAG-02 NPDES General Permit”).

In accordance with 25 Pa. Code § 92a.84(c)(3) (relating to public notice of general permits), the Department will publish notice in the *Pennsylvania Bulletin* for every approval of coverage under the PAG-02 General Permit.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1811. Filed for public inspection December 6, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Base General Permit No. WMGR096 Renewed through June 2021

On December 22, 2018, the Department of Environmental Protection (Department) published notice for the renewal of the existing version of General Permit No. WMGR096 for 1 year through December 23, 2019. This permit authorizes the beneficial use of regulated fill as a construction material. Under General Permit No. WMGR096, regulated fill may only be moved to a property that is approved for construction and meets one of the following criteria:

- The property is zoned and used exclusively for commercial and industrial uses; or
- The property is unzoned but exclusively used for commercial and industrial uses (excluding parks, playgrounds, nursing homes, child care facilities, schools or other residential-style facilities or recreation areas).

General Permit No. WMGR096 does not authorize blending or processing of fill with the purpose of meeting the concentration limits specified in Table GP-1 of the permit.

Due to the volume and extensiveness of the comments received on modifications proposed to WMGR096 and notice published at 48 Pa.B. 6393, 6414 (October 6, 2018), along with the recent publication of the revised Management of Fill Policy (Document No. 258-2182-773) published as final at 49 Pa.B. 6621 (November 2, 2019), the Department has renewed the existing version of WMGR096 until June 23, 2021.

This action will provide the Department with the appropriate amount of time to consider the comments received and evaluate whether additional modifications to the base GP are necessary. The Department plans to renotice proposed modifications to the base GP in the *Pennsylvania Bulletin* and provide for another 60-day public comment period after the comments received have been appropriately evaluated and addressed.

Persons interested in obtaining a copy of the renewed general permit may contact Chris Solloway, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170, (717) 787-7381. Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1812. Filed for public inspection December 6, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Proposed State Implementation Plan Revision; Second Maintenance Plan for the Scranton/ Wilkes-Barre 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 Scranton/Wilkes-Barre 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 Scranton/Wilkes-Barre Area as a nonattainment area for the 1997 8-hour ozone NAAQS. See 69 FR 23857 (April 30, 2004). On November 19, 2007, the Scranton/Wilkes-Barre Area was redesignated to attainment. See 72 FR 64948 (November 19, 2007). Air quality in the Scranton/Wilkes-Barre 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 and 12302 (March 6, 2015). 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 Scranton/Wilkes-Barre 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 January 10, 2020, at 10 a.m. at the Northeast Regional Office, Conference Room A, 2 Public Square, Wilkes-Barre, PA.

Persons wishing to present testimony should contact Amanda Rodriguez, P.O. Box 8468, Harrisburg, PA 17105, (717) 787-9702 or 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, January 6, 2020, 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 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 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, January 13, 2020. Commentators are encouraged to submit comments using the Department's online eComment tool at <http://www.ahs.dep.pa.gov/eComment> or by e-mail at 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 "Scranton/Wilkes-Barre Area Ozone" as the subject line in written communication.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1813. Filed for public inspection December 6, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Proposed State Implementation Plan Revision; Second Maintenance Plan for the State College (Centre 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 State College Area (Centre County) 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 State College Area as a nonattainment area for the 1997 8-hour ozone NAAQS. See 69 FR 23857 (April 30, 2004). On November 14, 2007, the State College Area was redesignated to attainment. See 72 FR 63990 (November 14, 2007). Air quality in the State College 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 conse-

quence 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 and 12302 (March 6, 2015). 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 State College 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 January 10, 2020, at 10 a.m. at the Northcentral Regional Office, The Goddard Room, 208 West Third Street, Suite 101, Williamsport, PA.

Persons wishing to present testimony should contact Amanda Rodriguez, P.O. Box 8468, Harrisburg, PA 17105, (717) 787-9702 or 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, January 6, 2020, 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 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 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, January 13, 2020. Commentators are encouraged to submit comments using the Department's online eComment tool at <http://www.ahs.dep.pa.gov/eComment> or by e-mail at 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 "State College Area Ozone" as the subject line in written communication.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1814. Filed for public inspection December 6, 2019, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Proposed State Implementation Plan Revision; Second Maintenance Plan for the Tioga 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 Tioga 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 Tioga County Area as a nonattainment area for the 1997 8-hour ozone NAAQS. See 69 FR 23857 (April 30, 2004). On July 6, 2007, the Tioga County Area was redesignated to attainment. See 72 FR 36892 (July 6, 2007). Air quality in the Tioga 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 and 12302 (March 6, 2015). 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 Tioga 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 January 10, 2020, at 1 p.m. at the Northcentral Regional Office, Conference Room A, 208 West Third Street, Suite 101, Williamsport, PA.

Persons wishing to present testimony should contact Amanda Rodriguez, P.O. Box 8468, Harrisburg, PA 17105, (717) 787-9702 or 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, January 6, 2020, 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 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 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, January 13, 2020. Commentators are encouraged to submit comments using the Department's online eComment tool at <http://www.ahs.dep.pa.gov/eComment> or by e-mail at 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 "Tioga County Area Ozone" as the subject line in written communication.

PATRICK McDONNELL,
Secretary

[Pa.B. Doc. No. 19-1815. Filed for public inspection December 6, 2019, 9:00 a.m.]

DEPARTMENT OF HEALTH

Amendments to Charges for Medical Records

In the notice published at 48 Pa.B. 7712 (December 15, 2018), the Department of Health (Department) published the guidelines and fees that a health care provider or facility may charge in response to a request for production of medical charts or records. This notice updates the notice published at 48 Pa.B. 7712.

Under 42 Pa.C.S. §§ 6152, 6152.1 and 6155 (relating to subpoena of records; limit on charges; and rights of patients), a health care provider or facility is allowed to charge a fee in response to a request for medical charts or

records. The Secretary of Health (Secretary), under 42 Pa.C.S. §§ 6152 and 6152.1, is directed to adjust annually the amounts which may be charged by the health care provider or facility.

The Secretary is directed to base these adjustments on the most recent changes in the Consumer Price Index reported annually by the Bureau of Labor Statistics of the United States Department of Labor. For the annual period of October 31, 2018, through October 31, 2019, the Consumer Price Index was 1.8%.

Accordingly, effective January 1, 2020, the following fees may be charged by a health care facility or health care provider in response to a request for production of medical charts or records:

<i>Amount charged per page for:</i>	<i>Not to Exceed</i>
Pages 1—20	\$1.58
Pages 21—60	\$1.17
Pages 61—end	\$0.40
Microfilm copies	\$2.33
* Search and retrieval of records (cannot be charged if requestor is requesting their own personal health record)	\$23.45
Flat fees (providers may not charge the previously listed search and retrieval fee in addition to a flat fee)	
Production of records to support any claim under Social Security or any Federal or State financial needs-based program	\$29.72
Supplying records requested by a district attorney	\$23.45

The previously listed fees shall apply for paper copies or reproductions on electronic media whether the records are stored on paper or in electronic format.

In addition to the amounts listed previously, charges may also be assessed for the actual cost of postage, shipping and delivery of the requested records.

The Department is not authorized to enforce these charges.

The previously listed charges, however, are subject to the following exceptions:

(1) An insurer shall not be required to pay for copies of medical records required to validate medical services for which reimbursement is sought under an insurance contract, except as provided in:

a. The Workers' Compensation Act (77 P.S. §§ 1—1041.4 and 2501—2506) and the regulations promulgated thereunder.

b. 75 Pa.C.S. Chapter 17 (relating to Motor Vehicle Financial Responsibility Law) and the regulations promulgated thereunder.

c. A contract between an insurer and any other party.

(2) The charges listed in this notice do not apply to an X-ray film or any other portion of a medical record which is not susceptible to photostatic reproduction.

(3) The charges for the production of medical records by a health care provider in response to a request made by either an individual who is the subject of the health information or the individual's personal representative is governed by the Health Insurance Portability and Accountability Act of 1996 (Pub.L. No. 104-191) (HIPAA) and Federal regulations enacted under HIPAA, including

42 U.S.C.A. § 17935(e) and 45 CFR 164.524 (relating to access of individuals to protected health information), as follows:

a. *Electronic health record.* Under 42 U.S.C.A. § 17935(e), if a health care provider uses or maintains health records in an electronic format with respect to protected health information of an individual, the individual shall have a right to obtain from the health care provider a copy of the information in an electronic format. The individual also has a choice to direct the health care provider to transmit electronically a copy of the health record directly to an entity or person designated by the individual, provided that any choice is clear, conspicuous and specific. Any fee that the health care provider may impose for providing the information (or a summary or explanation of the information) in an electronic format shall not be greater than the labor costs in responding to the request. The Department of Health and Human Services has stated that the labor costs may not include costs associated with searching for and retrieving the requested information.

b. *Health record used or maintained in other types of format (for example, paper).* Under 45 CFR 164.524(c)(4), if the individual requests a copy of the protected health information or agrees to a summary or explanation of the information, the covered entity may impose a reasonable, cost-based fee, provided that the fee includes only the cost of:

(i) Labor for copying the protected health information requested by the individual, whether in paper or electronic form.

(ii) Supplies for creating the paper copy or electronic media if the individual requests that the electronic copy be provided on portable media.

(iii) Postage, when the individual has requested the copy, or the summary or explanation, be mailed.

(iv) Preparing an explanation or summary of the protected health information, if the individual agrees in advance to a summary or explanation and the fees to be imposed, in accordance to 45 CFR 164.524(c)(2)(iii). Similarly, the labor costs under 45 CFR 164.524(c)(4) shall not include the cost attributable to search and retrieval of the records.

Inquiries for further clarification on this exception should be directed to the Office of Civil Rights, United States Department of Health and Human Services, 200 Independence Avenue, SW, Room 509F, HHH Building, Washington, DC 20201, (866) 627-7748, <http://www.hhs.gov/ocr/office/about/contactus/index.html>.

Questions or inquiries concerning this notice should be sent to the Department of Health, Office of Legal Counsel, Room 825, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-2500.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Department of Health, Office of Legal Counsel, 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. 19-1816. Filed for public inspection December 6, 2019, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Pharmacy Prior Authorization

The Department of Human Services (Department) announces it will add Hemangeol (propranolol oral solution), Prevymis (letermovir), Sublocade (buprenorphine), Acne Agents, Oral, Antihemophilia Agents, Iron Chelating Agents, Potassium Removing Agents, Thrombopoietics, Enzyme Replacements, Gaucher Disease, and Pulmonary Arterial Hypertension (PAH) Agents, Oral and Inhaled designated as preferred on the Department's Preferred Drug List, and Ultomiris (ravulizumab) to the Medical Assistance (MA) Program's list of services and items requiring prior authorization.

Section 443.6(b)(7) of the Human Services Code (62 P.S. § 443.6(b)(7)) authorizes the Department to add items and services to the list of services requiring prior authorization by publication of notice in the *Pennsylvania Bulletin*.

The MA Program will require prior authorization of all prescriptions for Hemangeol (propranolol oral solution), Prevymis (letermovir), Sublocade (buprenorphine), Ultomiris (ravulizumab), Acne Agents, Oral, Antihemophilia Agents, Iron Chelating Agents, Potassium Removing Agents, Thrombopoietics, Enzyme Replacements, Gaucher Disease, and Pulmonary Arterial Hypertension (PAH) Agents, Oral and Inhaled. These prior authorization requirements apply to prescriptions dispensed on or after January 1, 2020.

The Department has issued MA Bulletins to providers enrolled in the MA Program specifying the procedures for obtaining prior authorization of prescriptions for each of the medications previously listed.

Fiscal Impact

These changes are estimated to result in minimal savings to the MA Program.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Human Services, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revisions to these prior authorization requirements.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1373. No fiscal impact; (8) recommendations adoption.

[Pa.B. Doc. No. 19-1817. Filed for public inspection December 6, 2019, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Proposed Fee Schedule Rates for Transportation Trip Services Funded Through the Adult Autism Waiver

The purpose of this notice is to announce the Department of Human Services' (Department) intent to add Transportation Trip as a new service to the Adult Autism Waiver effective January 1, 2020, and the proposed Fee Schedule Rates for this service.

Fee Schedule Rates

The proposed Fee Schedule Rates for Transportation Trip services were developed using a market-based approach. This process included a review of the service definition and a determination of allowable cost components which reflected costs that are reasonable, necessary and related to the delivery of Transportation Trip services, as defined in the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (OMB Circular Uniform Guidance, December 26, 2014). The Department established the Transportation Trip Fee Schedule Rates to fund services at a level sufficient to ensure access, encourage provider participation and promote provider choice, while at the same time ensuring cost effectiveness and fiscal accountability. The Fee Schedule Rates represent the maximum rates that the Department will pay for Transportation Trip services.

In developing the proposed Fee Schedule Rates for the Transportation Trip service, the Department evaluated and used various independent data sources such as a Commonwealth-specific compensation study and expense data from prior approved cost reports for Transportation Trip services for the Consolidated, Community Living and Person/Family Directed Support Waivers, as applicable, to ensure the rates reflect the expected expenses for the delivery of the service under the Adult Autism Waiver for the major allowable cost categories listed as follows:

- Staff wages.
- Staff-related expenses.
- Productivity.
- Program and administration-related expenses.
- Approved service definitions in the waivers and determinations made about allowable cost components that reflect expenses reasonable and necessary and related to the delivery of Transportation Trip services.
- Cost of implementing applicable Federal and State statutes as well as regulations and local ordinances.

One Fee Schedule Rate was developed for each Transportation Trip service zone. Transportation Trip services can be provided by providers who enroll directly with the Department to provide Transportation Trip services or through Organized Health Care Delivery System providers.

The proposed Fee Schedule Rates for Transportation Trip services are included in the following table. The assumption log used to develop these rates is available at https://www.dhs.pa.gov/providers/Providers/Documents/ODP/Public%20Notices%20Related%20to%20Rates/ODP%20FY%2018%2019%20Trans%20Trip%20MRWG_Assumptions%20Log_080218.pdf.

Fee Schedule Rates for Transportation Trip Services Effective January 1, 2020

<i>Service Name</i>	<i>Unit of Service</i>	<i>Procedure Code</i>	<i>Statewide Fee</i>
Transportation Trip	Zone 1 (greater than 0 and up to 10 miles)	W7274	\$17.85
	Zone 2 (greater than 10 miles and up to 30 miles)	W7275	\$32.14
	Zone 3 (over 30 miles)	W7276	\$36.51

Fiscal Impact

It is anticipated that there will be an additional cost of \$0.154 million (\$0.074 million in State funds) to the Commonwealth in Fiscal Year (FY) 2019-2020 and an annualized cost of \$0.307 million (\$0.147 million in State funds) in FY 2020-2021 and subsequent years.

Public Comment

Copies of this notice may be obtained by contacting the Bureau of Supports for Autism and Special Populations at P.O. Box 2675, Harrisburg, PA 17105, RA-odpautismwaiver@pa.gov.

Comments received within 30 days of publication of this notice will be reviewed and considered for revisions to the proposed rates. A notice will be published announcing the final Fee Schedule Rates after the public comment period. Interested persons are invited to submit written comments regarding the proposed Transportation Trip Fee Schedule Rates. Comments should be addressed to Laura Cipriani, Department of Human Services, Office of Developmental Programs, 625 Forster Street, Room 510, Harrisburg, PA 17120. Comments may also be submitted to the Department at RA-odpcomment@pa.gov using subject header "AAW Transportation Trip Rates."

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service by dialing 711 or by using one of the toll-free numbers: (800) 654-5984 (TDD users), (800) 654-5988 (voice users), (844) 308-9292 (Speech-to-Speech) or (844) 308-9291 (Spanish).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1372. (1) General Fund; (2) Implementing Year 2019-20 is \$74,000; (3) 1st Succeeding Year 2020-21 through 5th Succeeding Year 2024-25 are \$147,000; (4) 2018-19 Program—\$30,842,000; 2017-18 Program—\$27,669,000; 2016-17 Program—\$22,496,000; (7) Autism Intervention and Services; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 19-1818. Filed for public inspection December 6, 2019, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Supplemental Payment to Qualifying Hospitals

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2018-2019 supplemental payments to qualifying acute care general hospitals that provide medical and

surgical ocular services to Medical Assistance beneficiaries to ensure continued access to these critical eye related services.

The Department published notice of its intent to allocate funding for these payments at 49 Pa.B. 1970 (April 20, 2019). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2018-2019 impact, as a result of the funding allocation for these payments, is \$1.675 million (\$0.800 million in State general funds and \$0.875 million in Federal funds).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1370. (1) General Fund; (2) Implementing Year 2018-19 is \$800,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$477,690,000; 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; (7) Medical Assistance—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 19-1819. Filed for public inspection December 6, 2019, 9:00 a.m.]

DEPARTMENT OF HUMAN SERVICES

Supplemental Payment to Qualifying Hospitals

The Department of Human Services (Department) is providing final notice of its funding allocation for Fiscal Year (FY) 2018-2019 supplemental payments to qualifying acute care general hospitals and State-related university medical schools that provide medical services to Medical Assistance beneficiaries to ensure continued access to these related services.

The Department published notice of its intent to allocate funding for these payments at 49 Pa.B. 1969 (April 20, 2019). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

Fiscal Impact

The FY 2018-2019 impact, as a result of the funding allocation for these payments, is \$4.188 million (\$2.000 million in State general funds and \$2.188 million in Federal funds).

TERESA D. MILLER,
Secretary

Fiscal Note: 14-NOT-1371. (1) General Fund; (2) Implementing Year 2018-19 is \$2,000,000; (3) 1st Succeeding Year 2019-20 through 5th Succeeding Year 2023-24 are \$0; (4) 2017-18 Program—\$477,690,000; 2016-17 Program—\$450,970,000; 2015-16 Program—\$392,918,000; (7) Medical Assistance—Fee-for-Service; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 19-1820. Filed for public inspection December 6, 2019, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease Department of Transportation (Department) excess land has been submitted to the Department by Delaware River WaterFront Corp., 121 North Columbus Boulevard, Philadelphia, PA 19106 seeking to lease highway right-of-way located at North Front, Allen and Laurel Streets, Philadelphia, PA 19123, Philadelphia County, approximately 61,904 ± square feet/hectares, adjacent to SR 0095, LR1000 Section B6RW, for purposes of parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Kenneth M. McClain, PE, District Executive, Engineering District 6.0, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525.

Questions regarding this application or the proposed use may be directed to Barbara DiCianno, Right-of-Way Administrator, 7000 Geerdes Boulevard, King of Prussia, PA 19406, (610) 205-6504.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 19-1821. Filed for public inspection December 6, 2019, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, November 21, 2019, and announced the following:

Actions Taken—Regulations Approved:

State Board of Veterinary Medicine # 16A-5727: Certified Veterinary Technicians and Veterinary Assistants (amends 49 Pa. Code Chapter 31)

Pennsylvania Public Utility # 57-323: Assumption of Commission Jurisdiction Over Pole Attachments from the Federal Communications Commission (amends 52 Pa. Code by adding Chapter 77)

Approval Order

Public Meeting Held
November 21, 2019

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Veterinary Medicine
Certified Veterinary Technicians and Veterinary Assistants
Regulation No. 16A-5727 (# 3221)*

On November 7, 2018, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Veterinary Medicine (Board). This rulemaking amends 49 Pa. Code Chapter 31. The proposed regulation was published in the November 24, 2018 *Pennsylvania Bulletin* with a public comment period ending on December 24, 2018. The final-form regulation was submitted to the Commission on October 10, 2019.

This rulemaking removes the 10-year bar on certification or automatic renewal for certified veterinary technicians who have been convicted of a felony under the Controlled Substance, Drug, Device and Cosmetic Act. It also amends, updates and clarifies rules related to examination, rules of conduct and reactivation of a license.

We have determined this regulation is consistent with the statutory authority of the Board (63 P.S. §§ 485.5 and 485.11) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
November 21, 2019

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission
Assumption of Commission Jurisdiction
Over Pole Attachments from the
Federal Communications Commission
Regulation No. 57-323 (# 3214)*

On September 13, 2018, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code by adding Chapter 77. The proposed regulation was published in the September 29, 2018 *Pennsylvania Bulletin* with a public comment period ending on November 28, 2018. The final-form regulation was submitted to the Commission on October 21, 2019.

This final-form rulemaking exercises reverse-preemption of the Federal Communication Commission regulation of utility pole attachments pursuant to 47 U.S.C. § 224.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. §§ 313, 314, 501, 701, 1301 and 1501) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 19-1822. Filed for public inspection December 6, 2019, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P.S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
47-20	Milk Marketing Board Transactions Between Dealers and Producers; Payment 49 Pa.B. 5455 (September 21, 2019)	10/21/19	11/20/19

Milk Marketing Board Regulation # 47-20 (IRRC # 3243)

Transactions Between Dealers and Producers; Payment

November 20, 2019

We submit for your consideration the following comments on the proposed rulemaking published in the September 21, 2019 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (RRA) (71 P.S. § 745.5b). Section 5.1(a) of the RRA (71 P.S. § 745.5a(a)) directs the Milk Marketing Board (Board) to respond to all comments received from us or any other source.

Section 143.15. Cooperative communication of over-order premium.—Clarity; Need for the regulation.

Subsection (b) states,

For the purpose of this section, “the specific amount of the Pennsylvania Milk Marketing Board over-order premium being paid” shall be calculated monthly by each cooperative by dividing the total over-order premium paid to the cooperative by the total cooperative member pounds marketed.

As written, the proposed regulation would result in a listing on each cooperative member’s statement of the average over-order premium paid to the entire cooperative for a given month.

In the Preamble, the Board explains the purpose of the proposed regulation as the following:

The Board mandates, by way of official general order, an over-order premium be paid to producers in this Commonwealth based on milk produced, processed and sold in this Commonwealth. The Board requires milk dealers to provide a line item on monthly statements to producers that shows the amount of over-order premium being paid. The [Milk Marketing Act] defines cooperatives as “producers,” so coopera-

tives are told how much over-order premium they are paid. However, there is no similar requirement that cooperatives provide a line item on monthly statements to their members that shows the amount of over-order premium the members are paid. This regulation would require cooperatives to provide a line item on monthly statements to their members disclosing the amount of over-order premium being paid.

Rep. John Lawrence, whose efforts prompted the regulation, comments that the intent of the regulation is “to ensure transparency and disclosure of state[-]mandated premiums to all Pennsylvania dairy farmers.” To meet this need, Rep. Lawrence recommends that the regulation be amended to require monthly statements to show the amount of over-order premium paid to each individual member. A statement by the Board in the Preamble seems to support Rep. Lawrence’s perspective: “Because they lack information, many cooperative members are skeptical and even distrustful of the Commonwealth and Board, as well as the cooperatives, when discussing their income. They do not understand how the system is benefitting them in any way and believe they are not, in fact, receiving what they are entitled to receive.”

The Board responds, in part, to Question # 10 of the Regulatory Analysis Form which asks why the regulation is needed, that “the majority of those 4,500 producers do not have a line item currently on their statements detailing the amount of over-order premium they are being paid. Those producers, approximately 4,200—4,300, who do not have the line item are the intended beneficiaries of this regulation.”

Based on the comment from Rep. Lawrence and the Board’s explanations, we question whether the proposed regulation truly addresses the concerns of the cooperative members and the need stated by the Board. We ask the Board either to amend the final regulation to require monthly statements to show the amount of over-order

premium paid to each individual member, or to explain in the Preamble how requiring cooperatives to provide an average over-order premium paid to the entire cooperative will alleviate the skepticism and distrust of cooperative members who do not believe they are receiving what they are entitled to receive.

Additionally, a commenter notes that Subsection (b) does not expressly specify that the over-order premium received by the cooperative is to be divided only by the

Pennsylvania member pounds received. Since cooperatives may market milk from members located in other states, we ask the Board to clarify that the over-order premium calculation does not include out-of-state pounds.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 19-1823. Filed for public inspection December 6, 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.

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
125-228	Pennsylvania Gaming Control Board General Table Games Provisions; Table Game Equipment; Electronic Table Games; Gaming Related Gaming Service Providers; Table Game Rules of Play	11/21/19	1/30/20

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 19-1824. Filed for public inspection December 6, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Jeffery Lewis; Doc. No. SC19-11-013

Notice is hereby given of the Order to Show Cause issued on November 21, 2019, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 611-A(1)—(3), (8), (19) and (20) and 678-A(a) of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(1)—(3), (8), (19) and (20) and 310.78(a)).

The respondent shall file a written answer to the Order to Show Cause within 30 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—588 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to

participate in the hearing, contact Domenica Dean, Agency ADA Coordinator, at (717) 705-4194.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1825. Filed for public inspection December 6, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Renewal of Designation as a Certified Reinsurer

XL Bermuda Ltd. has applied for renewal of its designation as a certified reinsurer in this Commonwealth. The application was received on November 22, 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. Comments received will be forwarded to the applicant for appropriate response.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1826. Filed for public inspection December 6, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Voluntary Surrender of Pennsylvania Certificate of Authority Filed by OneBeacon Specialty Insurance Company

OneBeacon Specialty Insurance Company, a domestic stock casualty insurance company, has submitted an application for approval to surrender its Insurance Department Certificate of Authority.

Persons wishing to comment on the grounds of public or private interest concerning the surrender are invited to submit a written statement to the Insurance Department (Department) within 7 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the writer; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement and the relevant facts upon which it is based. Written statements should be directed to Steven L. Yerger, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1827. Filed for public inspection December 6, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Coal Mine Compensation Rating Bureau; Workers' Compensation Loss Cost Filing

On November 25, 2019, the Insurance Department received from the Coal Mine Compensation Rating Bureau (Bureau) a filing for a loss cost level change for workers' compensation insurance. This filing was made in accordance with section 705 of the Workers' Compensation Act (77 P.S. § 1035.5).

The Bureau requests an overall 1.3% decrease in loss costs, effective April 1, 2020, on a new and renewal basis. Additionally, the Bureau has calculated the Employer Assessment Factor effective April 1, 2020, to be 2.03%, as compared to the currently approved provision of 1.83%.

The entire April 1, 2020, loss cost filing is available for review on the Bureau's web site at www.cmcrbpa.com under "Filings."

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Office of Insurance Product Regulation, 132

6 Strawberry Square, Harrisburg, PA 17120, gzhou@pa.gov, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1828. Filed for public inspection December 6, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Continental General Insurance Company; Rate Increase Filing for Several Individual LTC Forms (GLTC-132113533)

Continental General Insurance Company is requesting approval to increase the premium an aggregate 57.4% on 123 policyholders of individual LTC forms 405, 420 and 432.

Unless formal administrative action is taken prior to February 20, 2020, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1829. Filed for public inspection December 6, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Equitable Life & Casualty Insurance Company; Rate Increase Filing for Several Individual LTC Forms (ELCC-132141915)

Equitable Life & Casualty Insurance Company is requesting approval to increase the premium 25% on 18 policyholders of individual LTC Series LTC 2020 (PA).

Unless formal administrative action is taken prior to February 20, 2020, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary,

ary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1830. Filed for public inspection December 6, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Lincoln National Life Insurance Company; Rate Increase Filing for Several LTC Forms (TRST-132155312)

Lincoln National Life Insurance Company is requesting approval to increase the premium 30% on 81 policyholders with the following individual LTC policy form numbers: HL-2500AA (8/90), HL-2525AA (8/90), HL-2550AA (8/90), HL-2950PA (5/94) and HL-2950PAFR (2/95).

Unless formal administrative action is taken prior to February 20, 2020, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1831. Filed for public inspection December 6, 2019, 9:00 a.m.]

INSURANCE DEPARTMENT

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P.L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). These administrative hearings will be held as follows. Failure by the appellants to appear at the scheduled hearings may result in dismissal with prejudice.

The hearings will be held in Room 200, Administrative Hearings Office, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Peter R. and Claire M. White; Erie Insurance Exchange; File No. 19-118-241650; Doc. No. P19-11-014; January 9, 2020, 10 a.m.

Appeal of George W. and Marsha G. Austin; Erie Insurance Exchange; File No. 19-115-241898; Doc. No. P19-11-015; January 15, 2020, 9:30 a.m.

Following the hearings and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearings and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearings or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearings and require an auxiliary aid, service or other accommodation to participate in the hearings should contact Joseph Korman, (717) 787-4429, jkorman@pa.gov.

JESSICA K. ALTMAN,
Insurance Commissioner

[Pa.B. Doc. No. 19-1832. Filed for public inspection December 6, 2019, 9:00 a.m.]

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Environmental Assessment Approval for PENNVEST Funding Consideration

Scope: Clean Water and Drinking Water State Revolving Fund Projects for January 29, 2020, Pennsylvania Infrastructure Investment Authority (PENNVEST) Board meeting consideration

Description: PENNVEST, which administers the Commonwealth's Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF), is intended to be the funding source for the following projects. The Department of Environmental Protection's (Department) review of these projects, and the information received in the Environmental Report for these projects, has not identified any significant, adverse environmental impact resulting from any of the proposed projects. The Department hereby approves the Environmental Assessment for each project. If no significant comments are received during this comment period, the Environmental Assessment will be considered approved and funding for the projects will be considered by PENNVEST.

To be considered, the Department must receive comments on this approval on or by Monday, January 6, 2020. Electronic comments should be submitted using the Department's eComment site at www.ahs.dep.pa.gov/eComment. Written comments can be submitted by e-mail to ecomment@pa.gov or by mail to the Policy Office, Department of Environmental Protection, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Use "PENNVEST SRF-Environmental Assessment" as the subject line in written communication.

For more information about the approval of the following Environmental Assessments or the Clean Water and Drinking Water State Revolving Loan Programs contact Richard Wright at riwright@pa.gov or the Bureau of Clean Water, Department of Environmental Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, (717) 772-4059, or visit the Department's web site at www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/default.aspx.

Any comments received during the comment period, along with the Department's comment and response document will be available on the Department's web site at www.dep.pa.gov/Business/Water/CleanWater/InfrastructureFinance/Pages/EnvironmentalReview.aspx.

Upon approval, the full list of approved projects and their costs can be found in a press release on PENNVEST's web site at www.pennvest.pa.gov.

CWSRF Projects Being Considered:

<i>Applicant:</i>	Borough of Sinking Spring
<i>County:</i>	Berks
<i>Applicant Address:</i>	3940 Penn Avenue Sinking Spring, PA 19608-1168

Project Description: This is a sanitary sewer improvement project. The Borough of Sinking Spring will be replacing 2,950 linear feet of 10-inch diameter clay pipe with 15-inch diameter polyvinyl chloride pipe including 11 manholes. The carrying capacity of the sewer main is 1.02 million gallons per day (mgd) and will increase to 3.015 mgd. The increase in capacity will reduce the chance of sanitary backups during flooding events such as those that occurred in 2018 and 2019. It will also provide capacity for downtown development proposed by the Borough of Sinking Spring's redevelopment plan.

Problem Description: The Borough of Sinking Spring's sanitary sewer line on Broad Street has been in service for a long time and needs to be replaced. The pipe is near capacity and infiltration/inflow (I/I) has become an issue. By replacing the pipe with a larger pipe additional capacity will be available and the I/I will be reduced/eliminated.

<i>Applicant:</i>	City of Arnold
<i>County:</i>	Westmoreland
<i>Applicant Address:</i>	1829 Fifth Avenue Arnold, PA 15068

Project Description: The City of Arnold is repairing structurally deficient manholes, force mains, combined sewer regulators, diversion chambers and outfall pipes. This includes Moore Street and Drey Street combined sewers which are structurally deficient. Approximate quantities include 3,200 linear feet of pipe, 14 manholes and a diversion chamber with a vortex valve. Treatment is provided at the existing Municipal Sanitary Authority of the City of New Kensington's (MSANK) sewage treatment plant.

Problem Description: The United States Environmental Protection Agency issued an Administrative Consent Order for the combined sewer overflows in the City of Arnold on December 31, 2009. As a result of the Order, the City of Arnold completed a physical survey and visual inspection of the sewer system by means of closed circuit television. The City of Arnold was required to perform an inspection of all lines that directly or indirectly send

sewage to the MSANK sewage treatment plant. Repairs to the identified deficiencies are mandated by the Department to be completed no later than July 1, 2020.

<i>Applicant:</i>	Lower Yoder Township
<i>County:</i>	Cambria
<i>Applicant Address:</i>	128 J Street Johnstown, PA 15906

Project Description: This project will rehabilitate approximately 18,000 linear feet of sanitary sewer line using a combination of pipe bursting, cured-in-place pipe and conventional cut and cover construction methods along with 72 manholes. The laterals to collect wastewater from each of the homes will be extended to within 5 feet of each structure with this project as well totaling approximately 1,900 linear feet of pipe. In addition to the sanitary sewer replacement, this project will also add approximately 1,350 linear feet of storm water collection system.

Problem Description: Lower Yoder Township has entered into a Consent Order and Agreement with the Department to reduce the amount of I/I entering the sewer system within the Township. Closed circuit television inspections were used to evaluate the condition of the current sewer system. As a result of these inspections, many class 3, 4 and 5 defects were found, and a plan was generated to correct these defects. Lower Yoder Township plans to replace the existing sewer lines, manholes and laterals to within 5 feet of each structure if an easement is signed for them to do so. The existing pipe sizes will be used for the construction of the new lines. This project is the last of three phases being implemented by Lower Yoder Township to reduce I/I and eliminate Lower Yoder Township's contribution to Sanitary Sewer Overflow activity downstream.

<i>Applicant:</i>	Harborcreek Township Sewer Authority
<i>County:</i>	Erie
<i>Applicant Address:</i>	5601 Buffalo Road Harborcreek, PA 16421

Project Description: This project includes a sewer extension from Nagle Road to East Lake Road and sewer replacement from East Lake Road to the City of Erie's east side interceptor connection at Franklin Avenue and replacement of the Six Mile Creek pump station (PS) and construction of a 750,000-gallon equalization storage tank.

Problem Description: The proposed project is part of the Corrective Action Plan from the Department to eliminate overflows at the Six Mile Creek PS.

<i>Applicant:</i>	Union Township
<i>County:</i>	Washington
<i>Applicant Address:</i>	3904 Finley Elrama Road Finleyville, PA 15332

Project Description: The sewer system will be extended to serve 26 equivalent dwelling units totaling 9,100 gallons per day. Construction will consist of approximately 2,600 linear feet of 8-inch diameter gravity sewer line, 16 manholes, 2 single residence pumps and lateral

service to within 150 linear feet of the residences. Treatment will be provided at the existing Piney Fork sewage treatment plant.

Problem Description: At present, over 50% of the residential properties located along Overlook Street and Library Road have onlot sewage systems that are malfunctioning. In addition, a couple residents of Union Township have tapped into the South Park sanitary sewer lines without authorization and are thus receiving sewage treatment without payment.

<i>Applicant:</i>	New Castle Sanitation Authority
<i>County:</i>	Lawrence
<i>Applicant Address:</i>	102 East Washington Street New Castle, PA 16101

Project Description: The existing headworks building will be renovated. New mechanical and a manual bar screen will be installed in the renovated flow channel. The primary and secondary scum PSs will be demolished and two new scum PSs will be constructed. The primary and final clarifiers and digesters will be repaired. An anoxic tank will be constructed and a new fat, oil and grease and sludge receiving area will be built.

Problem Description: A Consent Order and Agreement was issued by the Department to eliminate secondary bypassing of flows as well as general upgrades. This project will reduce or eliminate wet weather bypasses of blended sewage to the waters of this Commonwealth.

<i>Applicant:</i>	Washington Township Municipal Authority of Clarion County
<i>County:</i>	Clarion
<i>Applicant Address:</i>	P.O. Box 113 Fryburg, PA 16326

Project Description: The project includes two sewer extensions namely the Northern Extension with low pressure sewer and a booster PS and the Southern Extension with gravity sewer. The Northern Extension includes Old Fryburg Road, the eastern side of Route 208 at the northern end of Fryburg, the northern side of Route 208 and Dempseytown Road. The Southern Extension covers State Route 208 south of Hargenrader Lane to Toms Lane.

Problem Description: Numerous failing onlot septic systems exist in the project area. Also, during a sewage needs survey it was noted that gray water or inadequately treated sewage was being discharged to roadway and storm water ditches.

DWSRF Projects Being Considered:

<i>Applicant:</i>	Indiana County Municipal Services Authority
<i>County:</i>	Indiana
<i>Applicant Address:</i>	602 Kolter Drive Indiana, PA 15701-3570

Project Description: The Indiana County Municipal Services Authority proposes to construct a new water treatment plant that will serve Plumville Borough, install new waterlines to interconnect the Plumville System to the Crooked Creek water system, improve performance of the Crooked Creek water treatment plant, install new waterlines to service areas from Grove Chapel in the Village of

Home to the Borough of Marion Center, install a water storage tank near Marion Center, install a waterline extension to service Spirit Life drug addiction treatment center and install a new pressure reducing valve. In total, approximately 110,050 linear feet of new waterline will be installed.

Problem Description: Marion Center has no public water system; therefore, the area has minimal fire protection. The Marion Center High School operates its own treatment system that is antiquated and has copper, lead and bacteria issues. Random sampling showed 41% of the properties tested positive for bacteria contamination in the form of total coliforms. The Spirit Life area, which includes a drug rehabilitation facility, has poor water quality. The current Plumville water treatment plant consists of a well that is chlorinated by sodium hypochlorite but provides no treatment for secondary contaminants. Recent raw water quality testing shows an upward trend in iron and manganese levels in the well. In addition, the Crooked Creek water treatment plant is unable to make water to meet the demands of the service area without expanding the treatment plant by adding a third Actimen Unit and associated ancillaries. This project also proposes the addition of a greensand filtration system for iron and manganese removal at the Plumville water treatment plant.

<i>Applicant:</i>	Greater Johnstown Water Authority
<i>County:</i>	Somerset
<i>Applicant Address:</i>	P.O. Box 1407 Johnstown, PA 15907-1407

Project Description: This project consists of adding a new spillway in the center of the embankment, installing higher walls on the existing spillway, building a concrete stilling basin at the top of the new spillway and constructing a new bridge of higher elevation across the existing spillway. A new access road will be installed at the top of the right embankment and flood walls will be installed on the dam crest on either side of the new spillway.

Problem Description: In 2016, Greater Johnstown Water Authority's (GJWA) engineer subcontracted services to perform a site-specific study of Probable Maximum Precipitation (PMP). The Probable Maximum Flood defines the spillway's design peak flowrate and duration required by the Department. The site-specific analysis determined that the existing spillway could pass 40% of the PMP storm without overtopping the dam. Therefore, the original spillway is quite inadequate. Floods are a serious concern for Johnstown due to the damaging floods of 1889, 1907, 1924, 1936 and 1977 which caused millions of dollars in damages and numerous fatalities. Due to the storm characteristics already experienced in the Greater Johnstown area, it would put this significantly large, high hazard dam at risk without the planned upgrades. The Department considers the North Fork Dam to be "unsafe" as stated by Roger P. Adams, PE, Chief Division of Dam Safety in a letter dated September 14, 2012, to Edward Cernic, Sr., Chairperson of the GJWA. North Fork Dam is the primary source of raw water for the GJWA. Dam failure would result in interruption of public water service to GJWA's users and catastrophic destruction of homes and businesses. North Fork Dam provides some of

the safest drinking water and without the upgrades this issue could potentially put the water quality at risk.

PATRICK McDONNELL,
Secretary
Department of Environmental Protection

BRION JOHNSON,
Executive Director
Pennsylvania Infrastructure Investment Authority

[Pa.B. Doc. No. 19-1833. Filed for public inspection December 6, 2019, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Declaratory Order

P-2019-3014239. Armstrong Telecommunications, Inc. Petition of Armstrong Telecommunications, Inc. for a declaratory order to provide clarification on whether Armstrong Telecommunications, Inc. need not pay Waterford Township fees for the installation of utility service facilities within the public right-of-way.

Answers and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 6, 2020, and replies filed on or before January 21, 2020. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, 2nd Floor, Harrisburg, PA 17120, with a copy served on the petitioner. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the petitioner's business address.

Petitioner: Armstrong Telecommunications, Inc.

Through and By: Charles E. Thomas, Jr., Esq. (PA ID # 07262), Thomas, Niesen & Thomas, LLC, 212 Locust Street, Suite 302, Harrisburg, PA 17101, (717) 255-7600, cthomasjr@tntlawfirm.com

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-1834. Filed for public inspection December 6, 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 December 23, 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-2019-3013820. Royalty Transportation Services, LLC (16 North Evans Street, Suite 1, Pottstown, Montgomery County, PA 19464) for the right to begin to transport, as a common carrier, by motor vehicles, persons in paratransit service, between points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia.

A-2019-3013848. Holland Homecare, LLC (95 Lempa Road, Holland, Bucks County, PA 18966) for the right to begin to transport, as a common carrier, by motor vehicles, persons in paratransit service, between points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia.

A-2019-3014538. FJG Transportation, Inc., t/a Signature Limousine (1323 Washburn Street, Scranton, PA 18504) to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Lackawanna, Luzerne, Monroe, Pike and Wayne, to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2019-3014548. Adam Limousine, LLC (1546 Blackrock Road, Swarthmore, Delaware County, PA 19081) for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, between points in the Counties of Bucks, Chester, Delaware and Montgomery.

Applications of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under each application.

A-2019-3014236. A-One Do Process, LLC (1410 2nd Avenue, Altoona, Blair County, PA 16602) for the discontinuance and cancellation for its certificate, to transport, as a common carrier, by motor vehicles, persons in paratransit service, between points in the Counties of Bedford, Blair, Cambria, Cameron, Centre, Clearfield, Huntingdon and Somerset.

A-2019-3014250. Connolly Options, LLC, t/a Two Men and A Truck (340 Springhouse Lane, West Chester, Chester County, PA 19380) for the discontinuance and cancellation for its certificate, to transport, as a common carrier, by motor vehicle, household goods in use, from that portion of Chester County bounded on the north by Route 30, to points in Pennsylvania, and vice versa, as described in the ordering paragraph at Docket No. A-2008-2019988.

A-2019-3014371. MCT Transportation, Inc., t/a Montco Suburban Cab Co. (2728 Mount Carmel Avenue, Glenside, Montgomery County, PA 19038) for the discontinuance and cancellation of its certificate, to transport, as a common carrier, by motor vehicle, persons in

paratransit service, as more thoroughly described in the original ordering paragraph at Docket No. A-00119955, F.2.

A-2019-3014476. Concord Coach USA, Inc. (2752 Mount Carmel Avenue, Glenside, Montgomery County, PA 19038) for the discontinuance and cancellation of its certificate, to transport as a common carrier, persons in airport transfer service, from points in the City and County of Philadelphia, to the Philadelphia International Airport, located in the said city and county, and the Township of Tinicum, Delaware County, as more thoroughly described in the original ordering paragraph at Docket No. A-00115589, F.4 Am-A.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 19-1835. Filed for public inspection December 6, 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 December 23, 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. The Connections Group, Inc.; Docket No. C-2019-3012101

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 The Connections Group, Inc., (respondent) is under suspension effective July 30, 2019 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 4919 Knox St., Philadelphia, PA 19144.
3. That respondent was issued a Certificate of Public Convenience by this Commission on February 27, 2019, at A-6418895.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 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-6418895 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: 8/9/2019

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. 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

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.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Med Transit, LLC;
Docket No. C-2019-3012581

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 Med Transit, LLC, (respondent) is under suspension effective August 21, 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 5468, Philadelphia, PA 19143.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 17, 2013, at A-6414780.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 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-6414780 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: 9/3/2019

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. 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

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.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Tajoma, Inc., t/a Exclusive Destinations Services; Docket No. C-2019-3012953

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 Tajoma, Inc., t/a Exclusive Destinations Services, (respondent) is under suspension effective September 08, 2019 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 1500 Hamilton St., # 1H, Allentown, PA 18102.
3. That respondent was issued a Certificate of Public Convenience by this Commission on March 29, 2017, at A-6419357.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 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-6419357 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: 9/18/2019

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. 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

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.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. A & T Logistics Corp; Docket No. C-2019-3013515

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to A & T Logistics Corp, (respondent) is under suspension effective October 03, 2019 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1025 North Laurel Street, 2nd Floor, Hazle Township, PA 18202.

3. That respondent was issued a Certificate of Public Convenience by this Commission on August 08, 2019, at A-8922095.

4. That respondent has failed to maintain evidence of 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-8922095 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: 10/16/2019

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. 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

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.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. ECM Entertainment, LLC; Docket No. C-2019-3013524

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 ECM Entertainment, LLC, (respondent) is under suspension effective October 04, 2019 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1163 State Road, Bensalem, PA 19020.

3. That respondent was issued a Certificate of Public Convenience by this Commission on October 15, 2018, at A-6421320.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 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-6421320 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: 10/16/2019

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. 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

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.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. C D Musser Transport, LLC; Docket No. C-2019-3013529

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 C D Musser Transport, LLC, (respondent) is under suspension effective October 02, 2019 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1730 Housels Run Rd., Milton, PA 17847.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 05, 2019, at A-8921732.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 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-8921732 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: 10/16/2019

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. 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

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.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Lamega Taxi, LLC; Docket No. C-2019-3013534

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 Prosecutory Staff hereby represents as follows:

1. Lamega Taxi, LLC, Respondent, maintains its principal place of business at 62 South Poplar Street, Hazleton, PA 18201.

2. That Respondent was issued certificate of public convenience for taxi authority by this Commission on September 2, 2017, at Application Docket Number A-2017-2596091.

3. That Respondent, on August 8, 2019, permitted a certain 2011 Ford bearing license number TX48963 and having Vehicle Identification No. 2FABP7BVXB177266 to be operated.

4. That PUC Motor Carrier Enforcement Officer Elliott Miller inspected the vehicle specified in paragraph 3 on the date specified on East Chestnut Street, Hazleton, Luzerne County. The following violations were found:

a) The right front tire had exposed metal cords in tread groove.

b) The right rear tire had two adjacent tire tread grooves that had less than 2/32 inch tread remaining. The tread depth indicators made contact with the roadway.

c) The left front tire had two adjacent tire tread grooves that had less than 2/32 inch tread remaining. The tread depth indicators made contact with the roadway.

d) The driver's license of the driver, Nevardo Toro was suspended.

5. That Respondent, by permitting a vehicle to be operated with tires that have less than the required tread depth and with exposed metal cords in the tread violated 52 Pa. Code § 29.402(1) and 75 Pa. Code § 175.80(1)(i). The penalty for this violation is \$100.

6. That Respondent, by allowing a driver to operate while their driver's motor vehicle license is under suspension, revoked or expired, violated 52 Pa. Code § 29.502 and 75 Pa.C.S. § 1543(a). The penalty for this violation is \$200.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Lamega Taxi, LLC the sum of three hundred dollars (\$300.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, 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: 10/21/2019

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within twenty (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 Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:
400 North Street, 2nd Floor
Harrisburg, PA 17120

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

D. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

E. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

F. 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 optional fine set forth above.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Robert D. Wiggins, t/a Bob Wiggins Farm; Docket No. C-2019-3013970

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 Robert D. Wiggins, t/a Bob Wiggins Farm, (respondent) is under suspension effective October 23, 2019 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 189 Low Grade Road, Westover, PA 16692.

3. That respondent was issued a Certificate of Public Convenience by this Commission on October 24, 2018, at A-8921448.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.00 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-8921448 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: 11/4/2019

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. 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

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.

**Pennsylvania Public Utility Commission; Bureau of
Investigation and Enforcement v. Universal Tspt,
LLC; Docket No. C-2019-3013662**

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 Universal Tspt, LLC, (respondent) is under suspension effective October 10, 2019 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1925 Keith Road, Unit 386, Abington, PA 19001-2646.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 31, 2018, at A-8920308.

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-8920308 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: 10/23/2019

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. 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

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 num-

ber if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Kenridge Farms, Inc.; Docket No. C-2019-3013949

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 Kenridge Farms, Inc., (respondent) is under suspension effective October 22, 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 319, Strausstown, PA 19559.
3. That respondent was issued a Certificate of Public Convenience by this Commission on December 21, 2012, at A-8915302.
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-8915302 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: 11/1/2019

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. 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

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. 19-1836. Filed for public inspection December 6, 2019, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Service of Notice of Motor Carrier Applications in the City of Philadelphia

The following permanent authority application to render service as common carriers in the City of Philadelphia has been filed with the Philadelphia Parking Authority's (PPA) Taxicab and Limousine Division (TLD). Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority) with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, no later than December 23, 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-19-11-05. S & H Taxicab, Inc. (9310 Academy Road, Philadelphia, PA 19114): An application for a medallion taxicab certificate of public convenience 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:* Charles Milstein, Esq., 7102 Frankford Avenue, Philadelphia, PA 19135.

SCOTT PETRI,
Executive Director

[Pa.B. Doc. No. 19-1837. Filed for public inspection December 6, 2019, 9:00 a.m.]

PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

Special Meeting

The Professional Standards and Practices Commission will hold a special meeting to consider a petition for release of confidential information. The meeting will be held on December 10, 2019, at 9 a.m. at the Department of Education, 333 Market Street, 14th Floor, Harrisburg, PA 17126. For questions, contact Kyle Shemory, (717) 787-6576.

SHANE F. CROSBY,
Executive Director

[Pa.B. Doc. No. 19-1838. Filed for public inspection December 6, 2019, 9:00 a.m.]

STATE ATHLETIC COMMISSION

Public Meetings for 2020

The State Athletic Commission (Commission) of the Department of State announces its schedule for regular meetings to be held at least once every 2 months in 2020 under 5 Pa.C.S. § 103 (relating to duties of commission). All meetings will be held at 11 a.m. in Room 303, North Office Building, Harrisburg, PA 17120. These meetings are open to the public and are scheduled as follows:

February 26, 2020
April 29, 2020
June 24, 2020
August 26, 2020
October 28, 2020
December 16, 2020

Individuals with questions regarding these meetings should contact the Commission at (717) 787-5720.

GREGORY P. SIRB,
Executive Director

[Pa.B. Doc. No. 19-1839. Filed for public inspection December 6, 2019, 9:00 a.m.]

STATE BOARD OF EDUCATION

Application to Establish a Community College in Erie County; Public Hearing

The State Board of Education (Board) will conduct a hearing on the Erie County Community College Plan (Plan) on March 18, 2020, at 10 a.m. The hearing will be held in the auditorium of the Raymond M. Blasco, MD Memorial Library, 160 East Front Street, Erie, PA 16507.

Under 22 Pa. Code § 1.5 (relating to applicability of general rules before the Board), the hearing on the Plan will be conducted by the Board in accordance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure). Subject to the General Rules of Administrative Practice and Procedure, written petitions to intervene, notices of intervention or protests must be received by the Board no later than 4 p.m. on

December 19, 2019. Filings must be received by the deadline at the Board's office at 333 Market Street, 1st Floor, Harrisburg, PA 17126-0333.

KAREN MOLCHANOW,
Executive Director

[Pa.B. Doc. No. 19-1840. Filed for public inspection December 6, 2019, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Maria Nyketa Washington, RN; Case No. 16-51-14971

On January 25, 2019, Maria Nyketa Washington, RN, Pennsylvania license No. RN615507, last known of Baltimore, MD, had her license indefinitely suspended and was ordered to pay a \$500 civil penalty, based upon 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 Ariel E. O'Malley, 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. 19-1841. Filed for public inspection December 6, 2019, 9:00 a.m.]

THADDEUS STEVENS COLLEGE OF TECHNOLOGY

Request for Bids

1.1 Project Information

A. *Notice:* Qualified bidders are invited to submit proposals for the project as described in this document according to the instructions to bidders.

B. *Project Identification:* Dormitory renovations at the branch campus for Thaddeus Stevens College of Technology (College).

1. *Project Location:* 1100 East Orange Street, Lancaster, PA 17602.

C. *Owner:* Thaddeus Stevens College of Technology, 750 East King Street, Lancaster, PA 17602.

D. *Architect:* Marotta/Main Architects, 214 North Duke Street, Lancaster, PA 17602.

E. *Project Description:* The proposed area of work will include approximately 29,000 gross square feet of renova-

tions for use as dormitory housing, including new restrooms and shower facilities.

F. *Construction Contract*: Bids will be received for the following work:

1. General building construction.
2. Plumbing construction.
3. HVAC construction.
4. Electrical construction.

1.2 *Bid Submittal and Opening*

A. Owner will receive sealed proposals until the time and date at the location indicated as follows. Owner will consider proposals prepared in compliance with the instructions to bidders issued by owner and delivered as follows:

1. *Bid date*: January 9, 2020.
2. *Bid time*: 2 p.m.
3. *Location*: Office of the Architect.

B. Bids will be thereafter publicly opened and read aloud.

1.3 *Bid Security*

A. Bid security shall be submitted with each bid in the amount of 10% of the proposal amount. No proposal may be withdrawn for a period of 60 days after opening, except as permitted under section 2 of the Bid Withdrawal Act (73 P.S. § 1602).

B. Owner reserves the right to reject any and all bids and to waive informalities and irregularities to the extent permitted by Commonwealth law.

1.4 *Prebid Conference*

A. A mandatory prebid meeting will be held on Thursday, December 19, 2019, at 3 p.m. at the Office of the Architect.

B. Bid documents will not be available at the prebid meeting for contractors that do not register to attend.

C. Following this meeting attendees may be permitted to tour the project site if abatement is not underway at the time.

1.5 *Documents*

A. *Digital Bid Documents*: Obtain after December 16, 2019, at 12 p.m. by contacting the Office of the Architect. Documents will be provided to prime bidders only; only complete sets of documents will be issued.

1. *Deposit*: \$100 nonrefundable to contractors submitting a valid bid. (Make checks payable to "Thaddeus Stevens College of Technology.")

B. *Viewing Bid Documents*: Examine after December 16, 2019, at the Office of the Architect.

C. Any prime contractor that intends to bid the project through receipt of documents from sources other than the architect must notify the Office of the Architect of their intent to bid.

1.6 *Time of Completion*

A. Successful bidders shall begin the work on receipt of the notice to proceed and shall complete the work within the contract time. Work is subject to liquidated damages.

1. Full and final completion shall be by August 1, 2020.

1.7 *Bidder's Qualifications*

A. Bidders must be properly licensed under the laws governing their respective trades and be able to obtain insurance and bonds required for the work. A performance bond, a separate labor and material payment bond, and insurance in a form acceptable to owner will be required of the successful bidder within 10 days of receipt of the College's intent to award the contracts.

B. The College reserves the right to reject any or all bids, parts thereof or items therein, and to waive any defects or irregularities in bids and bid securities, as may be deemed to be in its best interests. No bidder may withdraw its bid within 60 days after the actual opening of bids.

C. All proposals received from prime contractors will be reviewed and evaluated by the College's Evaluation Committee (Committee). This Committee will recommend for selection the proposal which most closely meets the requirements of the project and satisfies the College's needs.

1.8 *Questions*

A. All questions should be addressed in the form of a Request for Information to Carl Kowalski, Associate, the project manager for Marotta/Main Architects, cjk@marottamain.com or fax (717) 393-3212. Questions will be answered by means of addendum.

DR. WILLIAM E. GRISCOM,
President

[Pa.B. Doc. No. 19-1842. Filed for public inspection December 6, 2019, 9:00 a.m.]

