

# PENNSYLVANIA BULLETIN

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for the Subject Index for  
January—March 2019

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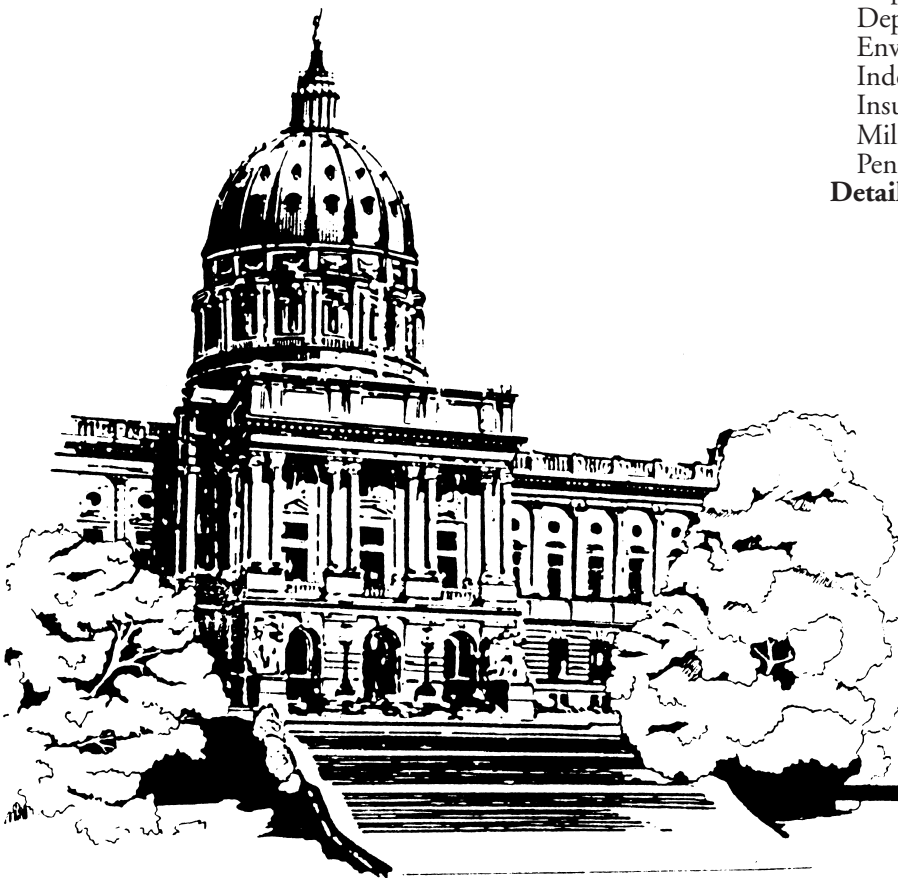
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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 533, April 2019**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

## *Citation to the Pennsylvania Bulletin*

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

## *Pennsylvania Code*

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

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

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

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

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

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

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

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

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*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 201—RULES OF JUDICIAL ADMINISTRATION

[ 201 PA. CODE CH. 51 ]

### Proposed Adoption of Pa.R.J.A. Nos. 5101—5106

The Custody of Exhibits Workgroup is considering proposing to the Supreme Court of Pennsylvania the adoption of Pa.R.J.A. Nos. 5101—5106, establishing statewide standards for the custody and retention of trial exhibits, 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 Workgroup for the convenience of those using the rules. They neither will constitute a part of the rules nor be officially adopted by the Supreme Court.

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

Pamela S. Walker, Counsel  
Custody of Exhibits Workgroup  
Supreme Court of Pennsylvania  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
FAX: 717-231-9546  
RulesCommittees@pacourts.us

All communications in reference to the proposal should be received by June 5, 2019. 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 Workgroup will acknowledge receipt of all submissions.

*By the Custody of Exhibits Workgroup*

HONORABLE JOHN F. CHERRY,  
*Chair*

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

### Annex A

## TITLE 201. RULES OF JUDICIAL ADMINISTRATION

### CHAPTER 51. CUSTODY OF EXHIBITS IN COURT PROCEEDINGS

#### Rule

- 5101. Definitions.
- 5102. Role of the Custodian.
- 5103. Custody of Exhibits. General Provisions.
- 5104. Custody of Exhibits. Special Provisions.
- 5105. Local Rules. Prohibition.
- 5106. Confidentiality. Exhibits Under Seal.

#### Rule 5101. Definitions.

“Court” means the Supreme Court, the Superior Court, the Commonwealth Court, or a court of common pleas.

“Court proceeding” means any trial, hearing, argument or similar event before a judge, panel or hearing officer where evidence, if entered, is on the record.

“Custodian” means the person or persons designated by local rule to safeguard and maintain exhibits offered into evidence in a court proceeding. Custodian shall also include the custodian’s designee.

“Exhibit” means a document, record, object, photograph, model, or similar item offered into evidence, whether or not admitted, in a court proceeding.

“Local rule” means a local rule of judicial administration, however titled, adopted by a judicial district or an Internal Operating Procedure adopted by an appellate court.

“Judicial district” means a geographic area established by the General Assembly of Pennsylvania in which a court of common pleas is located.

“Proponent” means a party seeking the admission of an exhibit into the record in a court proceeding.

“Records office” means the entity with the responsibility and function to maintain and retain the official case file and list of docket entries as required by rule or law.

#### Comment

*See also* definitions in Pa.R.J.A. No. 102 for additional terms used in this chapter. The definition of “court proceeding” includes, but is not limited to, civil and criminal trials, ancillary arguments and hearings, as well as divorce, custody, support, delinquency and dependency hearings before hearing officers and made of record. The definition of “court proceeding” does not include proceedings before a magisterial district court, non-record proceedings before the Philadelphia Municipal Court, judicial arbitration matters pursuant to Pa.R.C.P. Nos. 1301 *et seq.*, or any other matter that is not a record proceeding. A “custodian” will either be a member of court staff who is typically present at court proceedings, such as a court reporter or clerk of court, or the proponent of the exhibit. *See* Rule 5102. The definition of “exhibit” includes items admitted and rejected by the court after being offered into evidence by a proponent. The definition of “judicial district” is derived from 42 Pa.C.S. § 901. A “records office” includes the prothonotary of a court, the clerk of courts, the clerk of an orphans’ court, or the equivalent office by whatever name known.

#### Rule 5102. Role of the Custodian.

(A) The president judge shall by local rule of judicial administration appoint a custodian to safeguard and maintain exhibits offered into evidence in all court proceedings.

(B) The custodian shall safeguard and maintain all exhibits offered into evidence by a proponent during court proceedings, regardless of whether an exhibit is admitted or rejected by the court.

(C) The custodian shall be responsible for ensuring that all exhibits are filed with the records office and made part of the record on appeal no later than five business days after the conclusion of the court proceeding.

#### Comment

A local rule of judicial administration will designate a custodian, who will either be a member of court staff who is typically present at court proceedings, such as a court reporter or clerk of court, or the proponent of the exhibit. The local rule will identify the custodian by role in the court proceeding and not by name. “Court reporter” has the meaning set forth in Pa.R.J.A. No. 4002.

**Rule 5103. Custody of Exhibits. General Provisions.**

(A) *During Court Proceedings.* The custodian shall secure and maintain all exhibits during trial or hearing, including breaks and recesses, except as otherwise provided in Rule 5104(D).

(B) *After Court Proceedings.*

(1) The custodian shall return all exhibits to the proponent at the conclusion of the proceeding unless a local rule directs the custodian to ensure that all exhibits are filed with the records office and made part of the record on appeal at the conclusion of the court proceeding or as otherwise directed by the court.

(2) A proponent who takes custody of exhibits at the close of the court proceeding shall:

(a) ensure that all exhibits are filed with the records office in compliance with Rule 5102(C); and

(b) secure and maintain all non-documentary exhibits until:

(i) otherwise directed by the court; or

(ii) in civil matters only, by agreement of the parties.

**Comment**

The custodian may direct the proponent to secure and maintain exhibits that are bulky, oversized or otherwise physically impractical for the custodian to maintain during court proceedings. See Rule 5104(C)(2).

Paragraph (B) reflects that the local rule may require the filing of exhibits at the close of the proceeding with the records office. Alternatively, the local rule may require that exhibits be returned to the proponent. If so, the proponent must ensure that exhibits are filed with the records office within five business days of the close of the proceeding.

Non-documentary exhibits typically will be returned to the proponent at the conclusion of the court proceeding. See Rule 5104 for special provisions relative to oversized documents, photographs, non-documentary exhibits, and digital media. If the court has concerns about the proponent's ability to retain an exhibit through the exhaustion of all appeals and post-trial actions, the court may direct other provisions for securing the exhibit. The court should take into consideration the possibility that a proponent may be incapable or unable to maintain and secure an exhibit, as well as the possibility that a proponent may tamper with or otherwise permit the degradation of an exhibit.

Use of the phrase "civil matters" in subparagraph (B)(2)(b)(ii) includes matters brought pursuant to the Pennsylvania Rules of Civil Procedure, Pennsylvania Orphans' Court Rules, dependency actions brought pursuant to the Pennsylvania Rules of Juvenile Court Procedure, and matters brought before an appellate court within its original jurisdiction pursuant to Pa.R.A.P. 106.

**Rule 5104. Custody of Exhibits. Special Provisions.**

(A) *Documentary Exhibits.*

(1) If a proponent offers into evidence an exhibit such as a letter, report, drawing, map, photograph or other document that is larger in size than 8-1/2 × 11 inches, the proponent shall ensure that a copy of the document reduced to 8-1/2 × 11 inches (or smaller) is entered into the record.

(2) A proponent who provides a reduced copy of an oversized exhibit shall be responsible for ensuring that

the reproduced document is clear and capable of further reproduction or transfer to digital media.

(B) *Photographs.*

(1) A proponent who offers into evidence a photograph shall elect to provide the custodian with the original or a copy of the photograph (no larger in size than 8-1/2 × 11 inches) that will be entered into the record.

(2) A proponent who provides a reduced copy of an oversized photograph shall be responsible for ensuring that the reproduced document is clear and capable of further reproduction or transfer to digital media.

(C) *Non-documentary Exhibits—Generally.*

(1) If a proponent offers into evidence a non-documentary exhibit, the proponent shall ensure that a photograph of the exhibit is entered into the record.

(2) If the exhibit is bulky, oversized or otherwise physically impractical for the custodian to maintain, the custodian may direct the proponent offering the exhibit to maintain custody of it and be responsible for securing it during the court proceeding.

(D) *Non-documentary Exhibits—Weapons, Contraband, Hazardous Materials.*

(1) In any proceeding in which weapons, cash, other items of value, drugs or other dangerous materials are offered into evidence, such exhibits shall be

(a) secured by the custodian while the court proceeding is in session;

(b) secured during breaks and recesses by the proponent; and

(c) prohibited from viewing in the jury room. The court may direct alternative viewing arrangements for such exhibits upon the request of the jury.

(2) During the proceeding, the custodian shall exercise all appropriate safeguards necessary to protect the public based on the nature of the exhibit.

(E) *Use of Digital Media.* If a proponent offers into evidence an exhibit in a digital format, it must be transferred to the custodian in a format acceptable to and accessible by the custodian and court.

(F) *Duplicates.* If the authenticity of an exhibit is at issue, the court may direct that the original item, and not a duplicate, be entered into the record.

**Comment**

If a local rule designates the proponent as the custodian, the proponent will be responsible for the safekeeping of exhibits during the court proceeding.

When documents and photographs are reduced in size and copied to comply with paragraphs (A)-(B) of this rule, the proponent must ensure that the quality of the document or photograph is not compromised. All documentary exhibits must be capable of clear reproduction. Paragraph (B) recognizes that a proponent may have a sentimental attachment to a photograph and may not want to relinquish it for inclusion in the record.

In paragraph (C), non-documentary exhibits covers a broad spectrum of objects, including, but not limited to, jewelry, clothing, automobiles, furniture, as well as the items listed in paragraph (D).

In paragraph (D), the phrase "weapons, cash, drugs or other dangerous materials" includes, but is not limited to, guns, knives, explosives, controlled substances, narcotics, intoxicants, currency, money, negotiable instruments,



toxic materials, and biohazards. For purposes of this rule, “secured” means inaccessible by unauthorized persons. See *UJS Pennsylvania Court Safety Manual* for best practices on firearms handling. Courts should consider additional safety measures if substances likely to cause bodily harm are present in the courtroom, for example, fentanyl and its derivatives, or other substances known to be especially lethal or toxic.

With regard to the use of media in the courtroom, technology is constantly evolving and judicial districts have access to varying levels of technology. As set forth in paragraph (E), a proponent offering an audio, visual, or computer file into evidence is solely responsible for ensuring the court has the means to access it during a court proceeding. Current technology may include the use of portable formats, such as flash drives and compact discs.

With regard to other limitations on the use of duplicates, see Pa.R.E. 1003.

#### **Rule 5105. Local Rules. Prohibition.**

(A) *Content of Local Rules.* Every judicial district shall promulgate local rules of judicial administration pursuant to Pa.R.J.A. No. 103(c) establishing the judicial district’s policies and procedures for the custody of exhibits in court proceedings. The local rules shall:

- (1) designate the custodian to safeguard and maintain exhibits introduced in a court proceeding;
- (2) establish standards for the reproduction of oversized or voluminous documentary exhibits; and
- (3) establish standards to ensure exhibits are filed with the records office for incorporation into the docket no later than five business days after the end of the court proceeding.

(B) *Prohibition.* The automated systems of the Unified Judicial System (e.g., Common Pleas Case Management System, Pennsylvania Appellate Court Management System, and PACFile) shall not be used for submitting or storing exhibits as required by this Chapter.

#### **Comment**

Local rules include an Internal Operating Procedure adopted by an appellate court. See Rule 5101.

A local rule may designate the proponent as the custodian in court proceedings. When the proponent is designated as the custodian, the proponent will fulfill all the responsibilities of a custodian during the court proceeding and until such time that exhibits are filed with the records office pursuant to these Rules.

The local rule shall designate the filing method, which may include electronic filing, although not via the automated systems of the Unified Judicial System. The designated method of filing exhibits with the records office will depend on the capabilities available to the judicial district. It is anticipated that some judicial districts will require the custodian to file exhibits with the records office immediately following the close of the court proceeding. Other judicial districts may require the proponents to file exhibits with the records office no later than five business days after the close of the court proceeding.

A local court security committee makes recommendations to the president judge on protocols, policies, and procedures that should be implemented to protect the public, court personnel, and court facilities in the event of an emergency. See Pa.R.J.A. No. 1954. The judicial dis-

trict may consult with the local court security committee to identify best practices for the handling of exhibits.

#### **Rule 5106. Confidentiality. Exhibits Under Seal.**

(A) If an exhibit offered into evidence contains confidential information or confidential documents as defined in the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* (“Policy”), the proponent shall give a copy of the exhibit and a certification prepared in compliance with the Policy and any related local rules to the records office for inclusion in the record no later than five days after the conclusion of the court proceeding.

(B) Any exhibit sealed by the court during the court proceeding shall not be accessible to the public.

#### **Comment**

Paragraph (A) of this Rule relates to the confidentiality of information contained in exhibits. Although the Policy does not apply directly to exhibits, important policy considerations are set forth therein, particularly as it relates to personal identification information, as well as highly sensitive financial, medical, and psychological information. While the Policy does not address the handling of non-documentary exhibits, it is expected that parties will adhere to the policy considerations set forth therein and ensure that otherwise confidential information and documents are not made available through the record. Adhering to the guidance of the Policy will ensure that a protected version of the exhibit is maintained in the record for public viewing.

Paragraph (B) recognizes that some exhibits contain such highly sensitive information or images that they are sealed by the court during the court proceeding.

#### **Explanatory Report**

##### **Proposed Adoption of Pa.R.J.A. Nos. 5101—5106**

The Custody of Exhibits Workgroup (Workgroup) is considering proposing to the Supreme Court of Pennsylvania the adoption of new Rules of Judicial Administration Nos. 5101—5106. These rules will establish statewide standards for the custody and retention of trial exhibits.

The issue of custody of exhibits was initially considered by a Rules Committee following reports of cases where court personnel were found to have misused trial exhibits. The Committee contemplated developing procedural rules that would have prohibited the retention by the court of exhibits consisting of “contraband,” *i.e.*, drugs or weapons. Additionally, the Committee identified issues that could arise from the handling of non-contraband exhibits, such as documentary exhibits that contain confidential information.

The Committee undertook a statewide survey of judicial districts to identify practices relative to custody of trial exhibits. The survey revealed a substantial divergence of practice regarding the custody of exhibits among the judicial districts. Upon review of the survey findings, the Committee realized that there were broader issues related to the custody of exhibits, including the need to retain exhibits for matters on appeal, as well as logistical considerations impacting court administration, such as exhibit storage space. The Supreme Court directed the formation of a workgroup of stakeholders to study local practices and advise whether statewide rules on the custody and retention of exhibits should be promulgated.

A Workgroup was formed, comprised of representatives from stakeholder organizations: the Pennsylvania Conference of State Trial Court Judges, Pennsylvania State

Association of Prothonotaries and Clerks of Court, Pennsylvania Court Reporters Association, Pennsylvania Association of Court Managers, Administrative Office of Pennsylvania Courts, and Supreme Court Rules Committees. The Workgroup met several times, developed draft rules, circulated the draft rules to stakeholder groups for review and comment, and is now publishing the draft rules for public comment.

The framework of the proposed rules relies on a custodian of exhibits to safeguard exhibits entered into evidence in a court proceeding. Under the proposed rules, judicial districts will designate a custodian via local rule, who can be a member of court staff (such as a clerk or court reporter) or the proponent of the exhibit. The proposed rules establish statewide guidelines for the handling of exhibits before and after trial, as well as the handling of documentary exhibits and non-documentary exhibits (e.g., jewelry, clothing, automobiles, furniture, weapons, cash, and contraband). Special provisions have been proposed for the handling of weapons, cash, items of value, drugs or other dangerous materials. The proposed rules address the use of digital media. Finally, the proposed rules reference the *Case Records Public Access Policy of the Unified Judicial System*, and apply it to exhibits filed with a records office.

[Pa.B. Doc. No. 19-483. Filed for public inspection April 5, 2019, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Adoption of Phila.DR.R. 1915.11-1 Parenting Coordination and Amendment of Phila.Civ.R. \*215 Assignment of Cases in the Trial Division; No. 06 of 2019

#### Order

And Now, this 25th day of March, 2019, the Board of Judges of Philadelphia County having voted at the Board of Judges' meeting held on February 28, 2019 to adopt Philadelphia Domestic Relations Rule 1915.11-1 Parenting Coordination, and to amend Philadelphia Civil Rule \*215 Assignment of Cases in the Trial Division, and the Supreme Court Domestic Relations Procedural Rules Committee and Supreme Court Civil Procedural Rules Committee having reviewed the following proposed rule and amended rule as required by Pa.R.J.A. 103, and having determined that the said local rules are not inconsistent with the applicable statewide rules, *It Is Hereby Ordered and Decreed* that Philadelphia Domestic Relations Rule 1915.11-1 Parenting Coordination, and Philadelphia Civil Rule \*215 Assignment of Cases in the Trial Division are adopted and amended as follows.

This General Court Regulation is issued in accordance with Pa.R.J.A. 103 and shall be filed with the Office of Judicial Records (formerly the Prothonotary, Clerk of Courts and Clerk of Quarter Sessions) in a docket maintained for General Court Regulation issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified copies of this General Court Regulation and rules shall be distributed to the Legislative Reference Bureau, together with a copy on a computer diskette, for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this General Court Regulation and rules shall be

filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <http://www.philacourts.us>, and shall be incorporated in the compiled set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the General Court Regulation and local rules shall also be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

By the Court

HONORABLE IDEE C. FOX,  
*President Judge,*  
*Court of Common Pleas*

### PHILADELPHIA FAMILY COURT DIVISION

#### CUSTODY

#### Philadelphia Local Rule 1915.11-1. Parenting Coordination.

(a) *Appointment of a Parenting Coordinator.*

(1) If the parties agree on a Parenting Coordinator or if the Court deems one necessary, an order will be entered in accordance with Pa.R.C.P. No. 1915.22.

(2) If the parties cannot agree on the selection of a Parenting Coordinator, the Court shall require each party to identify their choice(s) along with the hourly rate of each to all parties. If the parties cannot agree, the Court will select a Parenting Coordinator. The roster of the Court's approved Parenting Coordinators and their stated hourly rates shall be posted at <http://www.courts.phila.gov/>

(3) Any party seeking a pro bono appointment under section (d)(3) below must file with the Clerk of Family Court a Petition to Proceed In Forma Pauperis for the appointment of a Parenting Coordinator within three (3) days of the appointment order absent good cause shown. The In Forma Pauperis form can be found at [www.philacourts.us](http://www.philacourts.us).

(b) *Roster of Approved Parenting Coordinators.*

An attorney or mental health professional seeking to be included on the Philadelphia County Court's roster of qualified individuals to serve as a Parenting Coordinator shall submit an affidavit to the Administrative Family Court Judge or her/his designee together with the following:

(1) An affidavit attesting the applicant has qualifications found in Pa.R.C.P. No. 1915.11-1;

(2) An acknowledgment the applicant has read the Association of Family and Conciliation Courts (AFCC) Parenting Coordinator guidelines and the American Psychological Association (APA) Parenting Coordinator Guidelines; AFCC Parenting Coordinator guidelines are posted at [https://www.afccnet.org/Portals/0/AFCC\\_GuidelinesforParentingcoordinationnew.pdf](https://www.afccnet.org/Portals/0/AFCC_GuidelinesforParentingcoordinationnew.pdf) and the APA Parenting Coordinator Guidelines are posted at <https://www.apa.org/pubs/journals/features/parenting-coordination.pdf>; and

(3) An acknowledgment that for every 2 fee generated Parenting Coordination assignments, he or she must accept one pro bono assignment (up to 12 hours per pro bono case).

(c) *Parenting Coordinator Recommendations*

(1) Parenting Coordinators shall file their Summary and Recommendations with the Clerk of Family Court

within two (2) days after the last communication with the parties on the issues in accordance with Pa.R.C.P. No. 1915.11-1(f)(2).

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

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

b. The Clerk of Family Court shall promptly forward the original Objections and Petition to the Administrative Family Court Judge's Office for assignment to the parties' Family Court Judge to promptly schedule a record hearing. If the matter is an emergency or time-sensitive and the assigned Family Court Judge is not available, the matter will be assigned to the Emergency Custody Judge to conduct a record hearing.

(3) *Court Review of Parenting Coordinator's Recommendations.*

If no objections to the Parenting Coordinator's Recommendation are filed with the Clerk of Family Court within five days of service of the Summary and Recommendation, the Clerk of Family Court shall transmit the file to the Administrative Family Court Judge's Office to be assigned to the appointing Judge, if available, within a reasonable time, otherwise to any Family Court Judge for review of the Recommendation in accordance with Pa.R.C.P. No. 1915.11-1(f)(4).

(d) *Fees*

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

(1) His or her hourly rate, which may be up to \$300.00 an hour; provided, however, if the parties combined monthly net income exceeds the mandatory minimum set forth in the Support Guidelines at Pa.R.C.P. No. 1910.16-2(e)(2) (currently \$30,000 per month), the Court may adjust the hourly rate;

(2) Absent good cause, each party shall pay up to \$500 as an initial retainer (\$1,000.00 total) which may be reallocated as deemed appropriate by the Parenting Coordinator or the Court. See Pa.R.C.P. No. 1915.22, Order at ¶ 8.

(3) If a party is granted In Forma Pauperis status by the Court specifically for the appointment of a Parenting Coordinator, the Parenting Coordinator so appointed shall serve on a pro bono (no fee) basis, up to 12 hours.

(4) A Parenting Coordinator must accept one pro bono appointment for every two fee generating appointments.

(e) Philadelphia County, through its Administrative Family Court Judge, has entered into a Five County Compact on Parenting Coordination with Chester County, Montgomery County, Delaware County and Bucks County. The terms of that Compact are incorporated herein, and a copy is annexed hereto.

#### **PARENTING COORDINATION PROGRAM**

##### **FIVE COUNTY COMPACT**

##### **BUCKS, CHESTER, DELAWARE, MONTGOMERY & PHILADELPHIA**

An attorney or mental health professional seeking to be included on the roster of qualified individuals to serve as

a Parenting Coordinator in a member County shall submit a letter to the Administrative Judge of the Family Division of one of the member Counties together with the following:

1. Completion of the approved Form Affidavit attesting the applicant has the qualifications as set forth in Pa.R.C.P. No. 1915.11-1(b) "Qualifications of the Parenting Coordinator".

2. The following criteria shall apply to the qualifications:

A. Five hours in the parenting coordination process since August 9, 2018; provided that at least 2 of the 5 hours must be specific to Pennsylvania parenting coordination practice and procedure;

B. Ten hours of family mediation training within the last 10 years (an applicant with 40 hours of mediation training beyond 10 years may satisfy this requirement by verifying the 40 hours of training and significant family mediation practice within the last 10 years);

C. Five hours of training in domestic violence within the past 2 years;

D. Verification of current professional liability insurance via copy of said policy's coversheet/declaration page (which includes the provision of parenting coordination services);

E. Acknowledgement of responsibility to accept pro bono assignments for every 2 paid assignments;

F. Verification of Pennsylvania Act 33 child abuse and Act 34 criminal history clearances within the past two (2) years via copies of same;

G. Acknowledgement that the applicant has read the Association of Family and Conciliation Courts (AFCC) Parenting Coordination Guidelines and the American Psychological Association (APA) Parenting Coordination Guidelines.

AFCC and APA Parenting Coordinator Guidelines are posted at:

<https://www.afccnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf>

<https://www.apa.org/pubs/journals/features/parenting-coordination.pdf>

3. Appointments for pro bono assignments shall be made on a rotating basis by each Court on the list maintained by that County. Each parenting coordinator must accept one (1) pro bono appointment for every two (2) fee-generating appointments in a county.

4. There shall be a twelve (12) hour maximum per year on each pro bono case assigned to a parenting coordinator.

5. Each Parenting Coordinator on the roster shall be required to notify the Court Administration of the applicable County, after they have received two fee generating cases in that County, in order to facilitate the appointment of a pro bono case. The failure to affirmatively report this information by a Parenting Coordinator or to accept a pro bono assignment may subject them to removal from the roster. If a Parenting Coordinator is removed from the roster of a member County for this purpose, they shall share this information with the other member counties.

6. *Fees:*

A. The hourly rate shall not exceed \$300.00 an hour subject to the following exceptions:

a. If the parties combined monthly net income exceeds the mandatory minimum set forth in the Support Guidelines at 1910/16-2(e)(2) (currently \$30,000 per month), the Court may adjust the hourly rate;

b. If a party is granted In Forma Pauperis (IFP) status by the Court for the parenting coordination process.

B. The maximum initial retainer that may be requested shall be \$1,000.

7. Upon being added to the roster of one Member County, a parenting coordinator may be added to the roster of another member County by submitting a letter requesting same with a copy of the approval that was obtained from another member County.

8. A Judge appointing a parenting coordinator may be guided by the parties/counsel in the selection of a specific

parenting coordinator from the County roster (and/or shall otherwise select one from the roster).

9. Each Member County shall establish a Committee to review and consider complaints received about a parenting coordinator and shall recommend removal of a parenting coordinator from the roster of that County for good cause. All complaints received and dispositions of same shall be shared with the other member Counties.

10. The aforementioned review Committee shall consist of the following: Family Court Administrative Judge (or their designee); the Judge who appointed the parent coordinator at issue (or their designee); Court Administrator representative, one family law attorney (from the roster of parenting coordinators) and one mental health professional (from the roster of parenting coordinators).

**FORM AFFIDAVIT ATTACHED**

**APPLICATION TO BE CONSIDERED FOR APPOINTMENT AS A PARENTING COORDINATOR FOR \_\_\_\_\_ COUNTY**

**AFFIDAVIT—ATTORNEY**

I, \_\_\_\_\_, the undersigned applicant, hereby certify that I possess the minimum qualifications to serve as a Parenting Coordinator as established by Pa.R.C.P. 1915.11-1(b) and the 5 County Compact entered into by Philadelphia, Bucks, Montgomery, Delaware and Chester Counties, as follows:

- 1. \_\_\_\_\_ I am licensed to practice in the Commonwealth of Pennsylvania.  
 My Attorney ID number is \_\_\_\_\_ .  
 \_\_\_\_\_ My license is in good standing.  
 \_\_\_\_\_ I have never been subject to attorney discipline. (If Applicant has been subject to discipline, provide details on separate sheet).  
 \_\_\_\_\_ I have practiced family law for \_\_\_\_\_ years, as follows (or attach CV):  
 \_\_\_\_\_  
 \_\_\_\_\_
  
- 2. \_\_\_\_\_ I have obtained the special training required by the Rule, and have attached verification for each training:  
 \_\_\_\_\_ hours in the Parenting Coordination process, of which 2 or more hours were specific to Pennsylvania PC practice.  
 Date of training: \_\_\_\_\_  
 Provider: \_\_\_\_\_  
 \_\_\_\_\_ hours of Family mediation (or hours of non-specific mediation training and hours of Family Mediation conducted).  
 Date of training: \_\_\_\_\_  
 Provider: \_\_\_\_\_  
 \_\_\_\_\_ hours of Domestic Violence training.  
 Date of training: \_\_\_\_\_  
 Provider: \_\_\_\_\_
  
- 3. \_\_\_\_\_ I understand that to remain qualified as a Parenting Coordinator in each 2 year period after March 1, 2019, I must take a minimum of 10 additional continuing education credits, of which at least 2 must be on domestic violence.
- 4. \_\_\_\_\_ I maintain Professional Liability insurance of \$ \_\_\_\_\_, which coverage expressly covers me for serving as a Parenting Coordinator. The Declaration page showing the foregoing is attached.
- 5. \_\_\_\_\_ I acknowledge that I may not charge more than \$300 per hour (although I may charge less), nor require more than a \$1000 initial retainer. My hourly rate for Parenting Coordination is: \$ \_\_\_\_\_ .

- 6. \_\_\_\_\_ I acknowledge that I must accept one pro bono PC appointment for every 2 fee-generating appointments in this judicial district/county, up to 12 hours per pro bono case. I understand that it is my responsibility to advise the court upon acceptance of the second appointment. I further understand that failing to accept a pro bono assignment or to notify the Court is grounds for removal from the roster maintained by this county, and that any removal shall be communicated to the member counties enrolled in the 5 County Compact.
- 7. \_\_\_\_\_ I have read Pa.R.C.P 1915.11-1 and understand the scope (and limits) of my authority and the procedures which I must follow when appointed as a Parenting Coordinator.
- 8. \_\_\_\_\_ I acknowledge that I have read the Guidelines for Parenting Coordination promulgated by the American Psychological Association and Association of Family and Conciliation Courts.  
<https://www.apa.org/practice/guidelines/parenting-coordination>  
<https://www.afccnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf>  
<https://www.apa.org/pubs/journals/features/parenting-coordination.pdf>
- 9. \_\_\_\_\_ I have read the 5 County Compact and understand the procedure for dealing with complaints and reporting among the member counties.

I swear or affirm that the foregoing statements are true and correct.

APPLICANT:

Name (printed) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date \_\_\_\_\_

FOR OFFICIAL USE ONLY

Qualifications Reviewed by: \_\_\_\_\_ (initials)

Place Application on Roster:      \_\_\_\_\_  
Yes                      No

If No, state reasons:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

J.

**APPLICATION TO BE CONSIDERED FOR APPOINTMENT AS A PARENTING  
COORDINATOR FOR \_\_\_\_\_ COUNTY**

**AFFIDAVIT—MENTAL HEALTH PROFESSIONAL**

I, \_\_\_\_\_, the undersigned applicant, hereby certify that I possess the minimum qualifications to serve as a Parenting Coordinator as established by Pa.R.C.P. 1915.11-1(b) and the 5 County Compact entered into by Philadelphia, Bucks, Montgomery, Delaware and Chester Counties, as follows:

- 1. \_\_\_\_\_ I have the following professional degree: \_\_\_\_\_  
 From (institution and date granted): \_\_\_\_\_
- 2. \_\_\_\_\_ I am licensed to practice in the Commonwealth of Pennsylvania as a \_\_\_\_\_. My license number is \_\_\_\_\_.
- \_\_\_\_\_ My license is in good standing.
- \_\_\_\_\_ I have never been subject to professional discipline. (If Applicant has been subject to discipline, provide details on separate sheet).
- \_\_\_\_\_ I have \_\_\_\_ years of experience in dealing with families involved in child custody matters, as follows (or attach CV): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

- 3. \_\_\_\_\_ I have obtained the special training required by the Rule, and have attached verification for each training:  
 \_\_\_\_\_ hours in the Parenting Coordination process, of which 2 or more hours were specific to Pennsylvania PC practice.  
 Date of training: \_\_\_\_\_  
 Provider: \_\_\_\_\_  
 \_\_\_\_\_ hours of Family mediation (or hours of non-specific mediation training and hours of Family Mediation conducted).  
 Date of training: \_\_\_\_\_  
 Provider: \_\_\_\_\_  
 \_\_\_\_\_ hours of Domestic Violence training.  
 Date of training: \_\_\_\_\_  
 Provider: \_\_\_\_\_
- 4. \_\_\_\_\_ I understand that to remain qualified as a Parenting Coordinator in each 2 year period after March 1, 2019, I must take a minimum of 10 additional continuing education credits, of which at least 2 must be on domestic violence.
- 5. \_\_\_\_\_ I maintain Professional Liability insurance of \$ \_\_\_\_\_ , which coverage expressly covers me for serving as a Parenting Coordinator. The Declaration page showing the foregoing is attached.
- 6. \_\_\_\_\_ I acknowledge that I may not charge more than \$300 per hour (although I may charge less), nor require more than a \$1000 initial retainer. My hourly rate for Parenting Coordination is: \$ \_\_\_\_\_ .
- 7. \_\_\_\_\_ I acknowledge that I must accept one pro bono PC appointment for every 2 fee-generating appointments in this judicial district/county, up to 12 hours per pro bono case. I understand that it is my responsibility to advise the court upon acceptance of the second appointment. I further understand that failing to accept a pro bono assignment or to notify the court is grounds for removal from the roster maintained by this county, and that any removal shall be communicated to the member counties enrolled in the 5 County Compact.
- 8. \_\_\_\_\_ I have read Pa.R.C.P 1915.11-1 and understand the scope (and limits) of my authority and the procedures which I must follow when appointed as a Parenting Coordinator.
- 9. \_\_\_\_\_ I acknowledge that I have read the Guidelines for Parenting Coordination promulgated by the American Psychological Association and Association of Family and Conciliation Courts.  
<https://www.apa.org/practice/guidelines/parenting-coordination>  
<https://www.afccnet.org/Portals/0/AFCCGuidelinesforParentingcoordinationnew.pdf>  
<https://www.apa.org/pubs/journals/features/parenting-coordination.pdf>
- 10. \_\_\_\_\_ I have read the 5 County Compact and understand the procedure for dealing with complaints and reporting among the member counties.

I swear or affirm that the foregoing statements are true and correct.

APPLICANT:

Name (printed) \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

FOR OFFICIAL USE ONLY
-----------------------

Qualifications Reviewed by: \_\_\_\_\_ (initials)

Place Application on Roster:      \_\_\_\_\_      \_\_\_\_\_  
  Yes                      No

If No, state reasons:  
\_\_\_\_\_  
\_\_\_\_\_

J.

**Amendment to Phila.Civ.R. \*215(A)(2)**

*Note:* Deleted text is bolded and bracketed; new text is bold and underscored.

**Rule \*215. Assignment of Cases in the Trial Division.**

A. All cases filed in the Trial Division of the Court of Common Pleas shall be listed for trial in accordance with those management procedures in effect for the program to which a case is assigned.

(1) *Arbitration Cases.* All cases which when filed are subject to compulsory arbitration under Philadelphia Civil Rule \*1301 shall be assigned a hearing date and time upon commencement on the face of the initial filing.

(2) *Major Jury Cases.* All jury cases, other than Arbitration Appeals and Mass Tort matters, shall be listed for trial by the Judicial Team Leader for that Program to which a given case is assigned in accordance with the pertinent Case Management Order. Protracted and complex cases will be listed for dates certain. Those cases classified standard and expedited typically will be assigned to a trial pool for a given pool month within the appropriate program. **[ The “pool month” is defined as the corresponding calendar month. ]** **The pool months begin on the first Monday of each month.**

Whether a given case is assigned a date certain or a pool month date is within the sound discretion of the Program Team Leader (or his or her designee).

(3) *Non Jury Cases.* All Non Jury cases will be designated as either Commerce Program or Non Jury Program cases. Commerce Program cases will be listed for trial at a status conference by the Supervising Judge of the Non Jury Program, located at the Complex Litigation Center.

(4) *Mass Tort Cases.* All Mass Tort cases shall be listed for trial by the Supervising Judge of the Mass Tort Program, located at the Complex Litigation Center.

(5) *Arbitration Appeal Cases.* All Arbitration Appeal cases shall be listed for trial by the Supervising Judge at the Complex Litigation Center in a monthly trial pool in accordance with a Case Management Order. **[ A “Pool Month” is the corresponding calendar month. ]** **The pool month begins on the first Monday of each month.**

**B. Jury Trial Requests.**

(1) Upon commencement of an action, the plaintiff shall pay the non jury listing fee, or if a jury trial is initially demanded, the jury listing fee.

(2) Thereafter, a jury trial may be demanded and perfected in accordance with Philadelphia Civil Rule \*1007.1.

(3) Payment of a jury fee will determine the case program assignment, except in those cases seeking equitable relief which shall be in either the Commerce Program or the Non Jury Program.

*Note:* Amended May 24, 2000, effective July 9, 2000. **Amended February 28, 2019, effective \_\_\_\_\_, 2019.**

*Comment:* This \*Rule has been completely rewritten to comport with the principles of differentiated case management and the assignment of cases by program. Counsel are advised to consult, where appropriate, the following General Court Regulations and Administrative Orders:

1. Trial Division General Court Regulation No. 94-2. (Procedure and Criteria for Advanced Trial Listings pursuant to Pa.R.C.P. 214.)

2. [ **General Court Regulation No. 95-1. (Day Forward Program. Judicial Team Leader; Trial Division.)**

3. ] General Court Regulation No. 95-2. (Day Forward Program. Procedure for Disposition of Major Jury Cases Filed on and after January 2, 1996.)

[ **4. Administrative Docket No. 05 of 1994. (Procedure for Disposition of Municipal Court Appeals.)**

5 ] **3.** Administrative Docket No. 01 of 1998. (Protocol for Trial Pools in the Day Backward and the Day Forward Programs.)

[ **6. Administrative Docket No. 06 of 1998. (Scheduling Civil Trials Involving State Prisoners.)** ]

*Editor’s Note:* Amended This rule may be impacted by the following: Administrative Docket No. 01 of 1999, Administrative Docket No. 02 of 2003, General Court Regulation 95-2, Administrative Docket No. 01 of 1998, Administrative Docket No. 02 of 1993, [ **General Court Regulation No. 95-1,** ] Administrative Docket No. 04 of 2005, Administrative Docket No. 05 of 2005, General Court Regulation No. 2012-01, General Court Regulation No. 2012-03, and General Court Regulation No. 2013-01.

[Pa.B. Doc. No. 19-484. Filed for public inspection April 5, 2019, 9:00 a.m.]

**Title 255—LOCAL COURT RULES****LEHIGH COUNTY****Establishing a Central Court for All Persons Charged with Violating Section 3802 of the Vehicle Code (Relating to Driving under the Influence of Alcohol or Controlled Substance); 39-AD-5-2019****Administrative Order**

*And Now* this 18th day of March, 2019, *It Is Hereby Ordered*, that a Central Court shall be established to conduct preliminary hearings for all court cases where 75 Pa.C.S.A. § 3802 (DUI) is charged, and the Policies and Procedures that follow as Exhibit A shall be adopted.

*It Is Ordered* that this Administrative Order shall be effective thirty (30) days after publication thereof in the *Pennsylvania Bulletin*.

(a) All criminal complaints filed in Lehigh County on and subsequent to April 15, 2019 where 75 Pa.C.S.A. § 3802 (DUI) is charged, shall be scheduled for DUI Central Court as set forth in the following schedule.

(b) DUI Central Court shall commence June 6, 2019.

*It Is Further Ordered* that in accordance with Pa.R.Crim.P. 105, the Court Administrator of Lehigh County shall:

(a) File one (1) certified copy hereof with the Administrative Office of the Pennsylvania Courts;

(b) Distribute two (2) certified copies hereof and one (1) CD-Rom copy that complies with the requirements of 1 Pa. Code § 13.11(b), with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(c) Incorporate a copy hereof in the complete set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*;

(d) Publish a copy hereof on the website of the Court of Common Pleas of Lehigh County, Pennsylvania at: <https://www.lccpa.org/rules.nex>;

(e) Supervise the distribution hereof to all Judges of this Court.

*By the Court*

MARIA L. DANTOS,  
*Judge*

### Exhibit A

#### Lehigh County Court of Common Pleas DUI Central Court Procedures

##### General Information:

1. All court cases where 75 Pa.C.S.A. § 3802 (DUI) is charged shall be submitted to DUI Central Court at a location to be determined by the President Judge.

2. Preliminary Hearings for all DUI cases shall be scheduled in DUI Central Court on the 1st and 3rd Thursday of every month. If the assigned Thursday falls on a holiday, DUI Central Court shall be on the following Thursday.

a. DUI Central Court dates shall be published on the Court's yearly calendar.

b. The Magisterial District Judge Administrator shall provide notice of said dates, which shall be forwarded to all MDJ's, the District Attorney, the Public Defender, the Sheriff, Lehigh County Adult Probation, Pennsylvania State Police, Lehigh County Department of Corrections, and all municipal police departments within Lehigh County.

3. DUI Central Court shall be presided over by a Magisterial District Judge (MDJ).

a. The MDJ rotation schedule shall be established by the Magisterial District Judge Administrator.

4. The DUI Central Court schedule shall be in hourly block times.

a. The first hourly block shall be 9:00 a.m. Afternoon hourly blocks shall begin at 1:30 with the last block of the day scheduled to begin at 3:30.

b. The number of cases for each block shall be determined by the DUI Supervising Judge in consultation with the Magisterial District Judge Administrator, District Attorney, Public Defender, Adult Probation, and Sheriff.

5. The Magisterial District Judge Administrator shall maintain and provide notice of the DUI Central Court.

##### DUI Central Court Personnel:

In addition to the assigned MDJ, the following departments shall provide at least one (1) representative on each scheduled DUI Central Court date:

- a. Central Court staff
- b. DUI Criminal Court Clerk
- c. District Attorney's Office
- d. Public Defender's Office
- e. Adult Probation
- f. Lehigh Valley Pre-trial Services
- g. Sheriff
- h. Victim/Witness

##### Scheduling:

1. Scheduling cases for DUI Central Court shall be the responsibility of the originating MDJ office.

2. Scheduling of cases shall be according to the chart attached hereto and is based on the filing date of the criminal complaint and the DUI Central Court schedule.

3. Defendants and all parties should appear 15 minutes prior to the block time scheduled for their case.

4. Notices shall be provided to the defendant and all parties by the originating MDJ office.

a. The affiant will not be required to attend the first scheduled date. If the defendant does not waive his or her preliminary hearing and requests a hearing, the affiant and any other witnesses shall be notified and issued subpoenas requiring their attendance at the next scheduled preliminary hearing.

5. All requests for continuances shall be made and acted upon in accordance with Pa.R.Crim.P. 542 and Leh.R.Cr.P. 542.

6. All written notifications of continuances shall be in accordance with Pa.R.Crim.P. 542 and Leh.R.Cr.P. 542.

7. In the case of an incarcerated defendant, the Preliminary Hearing shall be scheduled before an MDJ on the next available non-DUI Central Court list.

8. If an incarcerated defendant is released prior to a scheduled Preliminary Hearing on a non-DUI Central Court date, his/her Preliminary Hearing will be rescheduled on to the next available DUI Central Court date and all regular DUI Central Court scheduling procedures shall be followed.

##### Case Processing:

###### 1. *Complaint by Summons:*

a. When a complaint is filed in a Magisterial District Court, that case shall be docketed and scheduled by that MDJ Court's staff.

b. The originating MDJ shall schedule the Preliminary Hearing upon appropriate date for DUI Central Court, according to the DUI Central Court schedule and in accordance with procedures established by Court Administration.

c. A summons will be sent to the defendant by MDJ office where the complaint was filed.

d. The summons shall notify the defendant of a Preliminary Hearing in accordance with the applicable Pennsylvania Rules of Criminal Procedure.

e. All case files, including original copy, shall be maintained in the originating MDJ Office.

###### 2. *Arraignment of Defendant when Criminal Charges are Filed:*

a. Defendants arraigned at the time criminal charges are filed shall have their Preliminary Hearing date scheduled pursuant to Pa.R.Crim.P. 540.

###### 3. *Waiver of Preliminary Hearing by a Defendant represented by counsel:*

a. Once a case has been scheduled in DUI Central Court, any waivers of a Preliminary Hearing pursuant to Pa.R.Crim.P. 541 shall be coordinated with the originating MDJ.



**Case Disposition:**

1. *Waiver of Preliminary Hearing at DUI Central Court:*

a. Defendants who waive their right to a Preliminary Hearing at DUI Central Court shall present their request to do so to the presiding MDJ.

2. *Waiver of Preliminary Hearing by a Defendant represented by counsel prior to scheduled DUI Central Court:*

a. Defendants represented by counsel may waive their Preliminary Hearing prior to their scheduled DUI Central Court date pursuant to Pa.R.Crim.P. 541.

(i) Such waiver shall be made to the originating MDJ.

b. Upon receipt of written waiver, the case shall proceed pursuant to the Pennsylvania Rules of Criminal Procedure and corresponding Court Administration procedure.

c. The originating MDJ shall provide defendant and his/her counsel with written information regarding the required Court Reporting Network (CRN) Evaluation.

3. *Preliminary Hearing:* Defendants who do not waive their Preliminary Hearing at their first scheduled hearing date, shall have their case continued to the second (2nd) DUI Central Court date following the date of the hearing request, to be scheduled at a time in the afternoon.

a. All parties shall be notified of the new Preliminary Hearing date pursuant to procedures established by Court Administration.

b. The affiant and any other necessary witnesses shall also be notified and if requested by the Commonwealth, issued a subpoena to appear in Central Court for this date.

4. *Failure to Appear:*

a. If the defendant fails to appear for his/her Preliminary Hearing, the hearing shall be continued to the second (2nd) DUI Central Court date following the date of the hearing request, to be scheduled at a time in the afternoon.

b. All parties shall be notified of the new Preliminary Hearing date pursuant to procedures established by Court Administration.

c. The affiant and any other necessary witnesses shall also be notified and if requested by the Commonwealth, issued a subpoena to appear in Central Court for this date.

d. Should the defendant fail to appear for the new Preliminary Hearing date and service is confirmed, a hearing will be held in absentia in accordance with Pa.R.Crim.P. 543 and a bench warrant shall be issued pursuant to Pa.R.Crim.P. 543(D)(1) by a Judge of the Court of Common Pleas.

**Court Reporting Network Evaluation (CRN):**

1. Following either waiver or hearing where the charges are bound over to the Court of Common Pleas, a representative from the Adult Probation Department will contact the defendant and schedule a CRN Evaluation.

2. The CRN evaluation is mandatory for all DUI offenders in the Commonwealth of Pennsylvania.

3. The CRN evaluation for all Lehigh County DUI offenders must be completed by a representative of the Lehigh County Adult Probation Office.

4. The defendant will be given a copy of the evaluation results at the conclusion of the appointment. If recommended for further assessment, the defendant will be provided with a list of approved agencies.

<i>Complaint File Date</i>	<i>DUI Central Court Dates</i>
April 16—30, 2019	June 6, 2019
May 1—15, 2019	June 20, 2019
May 16—31, 2019	July 11, 2019
June 1—15, 2019	July 18, 2019
June 16—30, 2019	August 1, 2019
July 1—14, 2019	August 15, 2019
July 15—31, 2019	September 5, 2019
August 1—15, 2019	September 19, 2019
August 16—31, 2019	October 3, 2019
September 1—15, 2019	October 17, 2019
September 16—30, 2019	November 7, 2019
October 1—15, 2019	November 21, 2019
October 16—31, 2019	December 5, 2019
November 1—15, 2019	December 19, 2019
November 16—30, 2019	January 2, 2020
December 1—15, 2019	January 16, 2020
December 16—31, 2019	February 6, 2020
January 1—15, 2020	February 20, 2020
January 16—31, 2020	March 5, 2020
February 1—15, 2020	March 19, 2020
February 16—29, 2020	April 2, 2020
March 1—15, 2020	April 16, 2020
March 16—31, 2020	May 7, 2020
April 1—14, 2020	May 21, 2020

**Establishing a Central Court for All Persons Charged with Violating Section 3802 of the Vehicle Code (Relating to Driving under the Influence of Alcohol or Controlled Substance); 39-AD-5-2019**

TO THE HONORABLE, THE PRESIDENT JUDGE OF SAID COURT:

The Petition of James B. Martin, District Attorney of Lehigh County respectfully represents that:

1. In January 2018, the Pennsylvania Department of Drug and Alcohol Programs and the Pennsylvania Department of Transportation published a joint report of its analysis and findings regarding Driving Under the Influence Programs and Statutory Compliance.

2. Based on these findings and its analysis, the DUI Treatment Compliance Oversight Committee recommended that county criminal justice and treatment systems commit to the common goal of effectively and efficiently employing the criminal justice system to facilitate successful treatment for offenders charged and convicted or adjudicated for violating Section 3802 of the Vehicle Code, 75 Pa.C.S.A. § 3802 (relating to driving under the influence of alcohol or controlled substance—i.e. “DUI”).

3. Consistency, collaboration among stakeholders, and lack of delay will achieve this result.

4. The establishment of a DUI Central Court will support the furtherance of these goals.

5. In 2017, Lehigh County disposed of 1851 cases where the offender was charged of violating Section 3802 of the Vehicle Code, 75 Pa.C.S.A. § 3802 (relating to driving under the influence of alcohol or controlled substance—i.e. “DUI”).

6. In 2018, 1745 such cases were disposed.

7. According to the aforementioned Joint Report, the average time for a DUI case to reach resolution in Lehigh County is 265 days.

8. Presently, more than 90% of preliminary hearings for those charged with DUI are scheduled and presided over by the Lehigh County Magisterial District Judge (“MDJ”) with jurisdiction. There is inconsistency as to the length of time between arrest and the preliminary hearing or waiver of the hearing.

9. Pursuant to Title 75, Section 3816, all individuals charged with DUI must complete a Court Reporting Network Evaluation (“CRN”) prior to case disposition.

10. The statutory purpose of this evaluation is to determine the extent of a person’s involvement with alcohol and/or controlled substances.

11. In addition to a CRN, pursuant to Title 75, Section 3814, a Drug and Alcohol Evaluation must be completed prior to case disposition if any of the three criteria are met:

a. The offender’s blood alcohol concentration (“BAC”) is .16% or greater;

b. the offender has a prior DUI within the last ten (10) years; or

c. The CRN evaluation indicates a need for counseling and treatment.

12. In the last three (3) years, the average BAC of those charged with DUI was .17%.

13. Presently, upon conclusion or waiver of a preliminary hearing, the MDJ office is to provide the offenders with paperwork regarding the CRN requirement.

14. There is inconsistency in the paperwork being provided as well as inconsistency in accused individuals appearing at a scheduled CRN. It is not uncommon for offenders to appear for their first Court of Common Pleas date having not completed the CRN.

15. Consistency and reduction in delay between arrest, preliminary hearing, and CRN will increase efficacy of treatment and decrease recidivism.

a. An offender is more motivated towards treatment closer to the date of arrest than he or she is as time passes.

b. The sooner the CRN is conducted, the sooner appropriate treatment may begin.

c. Treatment outcomes improve when delays are reduced.

16. The establishment of a DUI Central Court and implementation of uniform policies and procedures will create consistency and reduce delay.

17. A single location for all DUI preliminary hearings will assist all stakeholders in being involved and present from the beginning of a case.

a. An Assistant District Attorney will be present at all scheduled hearings in DUI Central Court to identify potential Accelerated Rehabilitative Disposition (“ARD”) candidates, begin plea negotiations, offer input on bail, and conduct any hearings.

b. An Assistant Public Defender and/or Defense Counsel will be present to meet with clients, and discuss the case as well as potential resolutions with the prosecutor.

c. The Assistant Public Defender will prompt any unrepresented income eligible offenders to apply and obtain immediate representation. This will eliminate the delay that occurs when an unrepresented offender does not seek representation until the case has already progressed to the Court of Common Pleas.

d. The presence of a prosecutor at all scheduled DUI Central Court dates will eliminate the need for the arresting police officer, affiant or other witnesses to appear at the first scheduled date for the DUI preliminary hearing. Their presence would only be required if the offender does not waive their preliminary hearing at that first date. Should this occur, these individuals would be notified to appear for the next scheduled hearing date.

e. Establishment of a DUI Central Court will provide financial benefits and/or savings to Lehigh County taxpayers; municipalities; and police departments by reducing potential over-time pay. In addition, the strain placed on those police departments with limited personnel will be lessened by allowing the officer to remain on duty rather than report for every scheduled DUI preliminary hearing regardless of the status of that case.

*Wherefore*, your Petitioner, James B. Martin, District Attorney, respectfully prays that Your Honorable Court order that a DUI Central Court be established and the Procedures and Policies set forth in Exhibit A be adopted.

Respectfully submitted,

JAMES B. MARTIN,  
District Attorney  
455 West Hamilton Street  
Allentown, PA 18101  
I.D. # 16576

[Pa.B. Doc. No. 19-485. Filed for public inspection April 5, 2019, 9:00 a.m.]

# PROPOSED RULEMAKING

## DEPARTMENT OF LABOR AND INDUSTRY

[ 34 PA. CODE CHS. 91, 93 AND 95 ]

### Board Rules and Regulations

The Labor Relations Board (Board) proposes to amend 34 Pa. Code, Part V (relating to Labor Relations Board). The amendments are intended to update the Board's office locations and addresses, allow electronic filing of certain documents with the Board and permit service of certain documents on represented parties by e-mail.

These proposed changes to the rules and regulations were approved by the Board during a regularly scheduled meeting on September 18, 2018, and approved by the Secretary of Labor and Industry on November 6, 2018.

#### A. *Effective Date*

This proposed rulemaking will go into effect upon final-form publication in the *Pennsylvania Bulletin*.

#### B. *Contact Persons*

For further information contact Warren R. Mowery, Jr., Deputy Chief Counsel, 651 Boas Street, Room 418, Labor and Industry Building, Harrisburg, PA 17121, (717) 783-6016; or Nathan Bortner, Secretary, 651 Boas Street, Room 418, Labor and Industry Building, Harrisburg, PA 17121, (717) 783-6018.

This proposed rulemaking is available electronically at <https://www.dli.pa.gov/Individuals/Labor-Management-Relations/plrb/Pages/default.aspx>.

#### C. *Statutory Authority*

This proposed rulemaking is being made under the authority of section 4(f) of the Pennsylvania Labor Relations Act (PLRA) (43 P.S. § 211.4(f)) (“[t]he board, by and with the approval of the Secretary of Labor and Industry, shall have authority, from time to time, to make, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this act”), and section 502 of the Public Employee Relations Act (PERA) (43 P.S. § 1101.502) (“[t]he board shall have authority from time to time to make, amend and rescind such rules and regulations as may be necessary to carry out the provisions of this act”).

#### D. *Background and Purpose*

Section 9(e) of the PLRA (43 P.S. § 211.9(e)) (“[n]o petition or charge shall be entertained which relates to acts which occurred or statements which were made more than six weeks prior to the filing of the petition or charge”) established a 6-week statute of limitations for filing a Charge of Unfair Labor Practices with the Board. Police and Firefighters who have the right to organize under the Policemen and Firemen Collective Bargaining Act (P.L. 237, No. 111), are governed by the procedures and rules and regulations promulgated under the PLRA. *Philadelphia Fire Officers Association v. Pennsylvania Labor Relations Board*, 470 Pa. 550, 369 A.2d 159 (1977). Section 1505 of PERA (43 P.S. § 1101.1505) (“[n]o petition or charge shall be entertained which relates to acts which occurred or statements which were made more than four months prior to the filing of the petition or charge”) similarly provides for a 4-month statute of limitations period for Charges of Unfair Practice involving public sector collective bargaining.

Additionally, there are other statutes and provisions governing the timeliness of documents filed with the Board, such as a request for fact-finding under Act 88 of 1992 (24 P.S. § 11-1122-A), or the 20-day period for filing of exceptions under § 95.98(a) (relating to decisions of the Board) of the Board's rules and regulations. See 34 Pa. Code § 95.98(a).

As presently promulgated, the Board's rules and regulations provide that documents submitted to the Board are filed only when received by the Board, or in the case of exceptions under 34 Pa. Code § 95.98, when mailed through the United States Postal Service with a Form 3817 Certificate of Mailing. This has on occasion resulted in untimely filing of charges and exceptions precluding an administrative remedy.

Use of e-mail to communicate and submit documentation has become standard and reliable in both the private and public sector. Updating the Board's rules and regulations to allow for e-mail filing of certain documents would utilize this commonly accepted technology to alleviate some of the inconveniences in timely filing documents with the Board.

Additionally, exceptions to a decision of the Board Secretary or a Board Hearing Examiner are due 20-days after issuance. The date of issuance of a Board letter or order is the date of mailing by certified mail to the filing party or their representative. The option of e-mail service of documents would allow for expedited receipt (often the same day as issuance) of Board issued letter and orders.

Further, the electronic filing of documents would alleviate the requirement for numerous paper copies to be filed with the Board.

The proposal was extensively discussed among Board staff with regard to meeting the statutory needs, administrative concerns and Board procedures, before drafting. Insight and suggestions were sought from other Commonwealth agencies and from public-sector labor relations authorities in other states through the Association of Labor Relations Authorities (ALRA). Comments were also sought from lawyers representing public-sector employers and unions before the Board, through inquiry to the Pennsylvania Bar Association's Labor and Employment Law Section. The proposal was reviewed and approved by the Board, prior to its submission as this proposed rulemaking.

#### E. *Summary of Rules and Regulations*

##### *Chapter 91. Private and Public Employes*

##### *§ 91.2. Appearances.*

Changes to this section would add the option of allowing the attorney or representative for a party to elect, in an entry of appearance, to receive service of filings by other parties, and copies of Board letters and orders by e-mail.

##### *Chapter 93. Private Employes*

##### *§ 93.11. Institution of proceeding.*

Changes to this section would update the regulations to reflect that the Board no longer has a regional office in Philadelphia.

§ 93.12. *Service and filing of papers.*

Changes to clause (a) of this section would eliminate the requirement of service by “registered mail” while retaining the requirement of service on an unrepresented party by certified mail. The changes to clause (a) would also add that where an attorney or representative has elected to accept e-mail service, that service of documents on the attorney or representative may be made by e-mail at the designated e-mail address.

The changes would create a new clause (b), Methods of Filing with the Board. Clause (b)(1) would retain the current method of filing with the Board by actual receipt, and clarify that Charges and Petitions sent to the Board by mail will be filed on the date of receipt by the Board. Clause (b)(2) would add the option of filing any document, except a Petition with a “showing of interest,” see 34 Pa. Code § 95.1 (relating to definitions), by e-mail to a resource e-mail account established exclusively for receipt of documents filed with the Board, and would also add the option of agreeing to e-mail service of letters and orders from the Board. This proposed rulemaking would place the burden on the filing party for a failed receipt of documents due to computer file errors in the attachments or because of disruptions in electronic transmission.

Previous clause (b) would be renamed as clause (c). Clause (c) retains the requirement that any filing with the Board, whether filed when received or by e-mail, must be filed with the Board before the close of business on the last day for filing.

Prior clause (c) would be renamed (d) and continue to require that filings be legible.

Previous clause (d) requiring multiple copies would be eliminated.

*Chapter 95. Public Employes*

§ 95.11(b)(8). Changes to this section would reflect the current address of the Board’s office in Harrisburg, PA.

§ 95.13(c). Changes to this section would reflect the current address of the Board’s office in Harrisburg, PA.

§ 95.31. *Charges.*

Changes to this section would eliminate the need to file multiple paper copies of Charges of Unfair Practices with the Board.

§ 95.41. *Service of papers.*

Changes to this section would eliminate the requirement of service by “telegram” while retaining the requirement of service on an unrepresented party by mail or in person. The changes would also add the provision that where an attorney or representative has elected to accept e-mail service, that service of documents on the attorney or representative may be made by e-mail at the designated e-mail address.

§ 95.42. *Filing of papers.*

Clause (b) of this section would be amended to reflect that the Board no longer has a regional office in Philadelphia, PA.

The changes to this section would create a new clause (c), Methods of Filing with the Board. Clause (c)(1) would retain the current method of filing with the Board by actual receipt, and clarify that Charges and Petitions sent to the Board by mail will be filed on the date of receipt by the Board. Clause (c)(2) would add the option of filing any document, except a Joint Election Request or Petition with a “showing of interest,” by e-mail to a resource e-mail account established for the Board set up exclu-

sively for receipt of filed documents, and would also add the option of agreeing to e-mail service of letters and orders from the Board. This proposed rulemaking would place the burden on the filing party for a failed receipt of documents due to computer file errors in the attachments or because of disruptions in electronic transmission.

Previous clause (c) would be renamed as clause (d). Clause (d) retains the requirement that the first paper filed with the Board contain an address of the parties for initial service of documents issued by the Board.

Prior clause (d) would be renamed (e) and continue to require that filings be legible.

Previous clause (e) requiring multiple copies would be eliminated.

§ 95.98. *Decisions of the Board.*

Existing clause § 95.98(a)(1), exceptions to a hearing examiner decision, allows the filing of exceptions to the Board based on “actual receipt” by the Board, or on the date deposited in the United States mail as shown on a Form 3817 Certificate of Mailing. Changes to clause (a)(1) would amend “actual receipt” to include the changes in § 93.12 (relating to service and filing of papers) and § 95.42 (relating to filing of papers), that would allow filing by actual receipt or by e-mail. Provisions in § 95.98(a)(1) allowing the filing of exceptions by United States mail with a Form 3817 would be retained.

Changes to § 95.98(c) would eliminate the need to file multiple copies of exceptions with the Board, and eliminate the requirement to serve a copy of a response to exceptions on the hearing examiner.

*F. Benefits, Costs and Requirements*

The jurisdiction of the Board extends to public employers, including but not limited to the Commonwealth, political subdivisions, municipalities, school districts and State-related universities. Board jurisdiction includes employees of public employers and employee representatives. The Board has very limited jurisdiction over private employers under the PLRA.

*Benefits.* The proposed changes to the Board’s rules and regulations to allow filing by e-mail, and to eliminate the need for parties to file multiple copies of documents, is a significant benefit of providing an additional means for timely filing of documents with the Board.

*Costs.* The changes to the Board’s rules and regulations to allow filing by e-mail, and to eliminate the need for parties to file multiple copies of documents, is also a cost savings for persons with cases and petitions before the Board.

*Requirements.* The proposed changes to the Board’s rules and regulations to allow filing by e-mail, and to eliminate the need for parties to file multiple copies of documents, does not require filing by e-mail or eliminate existing means of filing with the Board. Charge of Unfair Practice (PERA-9) and Charge of Unfair Labor Practice (PLRA-15) forms currently utilized by the Board, will remain in existence and per the proposed changes may also be filed by e-mail. Existing forms may be found on the Board’s web site at <https://www.dli.pa.gov/Individuals/Labor-Management-Relations/plrb/Pages/default.aspx>.

*G. Administrative Code and Commonwealth Attorney’s Act*

Under section 232 of The Administrative Code of 1929 (71 P.S. § 232), the Board received a fiscal note, Fiscal Note 104-1, from the Office of the Budget for this proposed rulemaking.

The Board is an independent agency under the Commonwealth Attorney's Act, and under section 204(b) (71 P.S. § 732-204(b)), the Board submitted this proposed rulemaking to the Office of Attorney General for review for form and legality.

H. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 28, 2019, the Board submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House and Senate Labor and Industry Committees. In addition to submitting this proposed rulemaking, the Board has provided IRRC and the Committees with a copy of a detailed regulatory analysis form. Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to this proposed rulemaking within 30 days of the close of the public comment period.

I. *Public Comments*

Interested persons are invited to submit comments, suggestions or objections regarding this proposed rulemaking by mail to Nathan Bortner, Secretary, Labor Relations Board, 651 Boas Street, Room 418, Labor and Industry Building, Harrisburg, PA 17121, fax (717) 783-2974, nbortner@pa.gov. A reference to this proposed rulemaking and a return name and address must be included for each submission. Comments, suggestions or objections must be received by the Board by May 7, 2019 (within 30 days of publication in the *Pennsylvania Bulletin*).

NATHAN BORTNER,  
*Secretary*

**Fiscal Note:** 104-1. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 34. LABOR AND INDUSTRY**

**PART V. LABOR RELATIONS BOARD**

**CHAPTER 91. PRIVATE AND PUBLIC EMPLOYEES**

**GENERAL PROVISIONS**

**§ 91.2. Appearances.**

(a) An attorney or other representative desiring to participate in a proceeding before the Labor Relations Board (Board) or a designated agent of the Board, and who wishes to be served with papers, shall file an appearance either by letter, or by a form provided by the Board or by oral request at the hearing. The entry of appearance shall indicate whether the attorney or representative will accept service by e-mail and, if so, provide a valid e-mail address for service.

(b) A person who has been employed by the Board is not permitted to appear as attorney or representative for a party in a case which was pending before the Board during the period of his employment.

**CHAPTER 93. PRIVATE EMPLOYEES**

**PREHEARING PROVISIONS**

**§ 93.11. Institution of proceedings.**

(a) Charges and petitions instituting proceedings before the Board may be filed with the principal office of the Board in Harrisburg, or with the regional office of the Board in [ **Philadelphia or** ] Pittsburgh. Charge and petition forms are available at Board offices.

(b) Charges and petitions may be filed by a person entitled to do so under the act, shall be in writing, shall

contain pertinent information required by the act and shall be verified by the person filing the charges and petitions.

(c) In actions before the Board, the first paper filed on behalf of each party shall contain an address at which service of complaints, orders and other processes and papers of the Board may be made. Thereafter, a party may file with the Board [ **a suggestion** ] **an entry of appearance under § 91.2(a) (relating to appearances)**, which shall form part of the record in the case, setting forth a new address at which the service may be made. If he does not do so, notice sent to him by registered mail at his last address of record shall be equivalent to service.

**§ 93.12. Service and filing of papers.**

(a) Service of papers by a party on other parties shall be made personally, or by [ **registered or** ] certified mail, or by leaving a copy thereof with the person then in charge at the principal office or place of business of the person to be served. Where an attorney or representative has entered his appearance under § 91.2(a) (relating to appearances), complaints, orders and other processes and papers shall be served on the attorney or representative and need not be served on the party. **Service on an attorney or representative may be made personally, by United States Postal Service first-class mail, or where the attorney or representative has approved service by e-mail in an entry of appearance under § 91.2, by e-mail to the e-mail address provided in the entry of appearance.**

**(b) *Methods of Filing with the Board.***

**(1) In person at the principal office of the Board in Harrisburg, or with the regional office of the Board in Pittsburgh. If mailed to the Board through the United States Postal Service or third-party courier, the date of filing shall be the date of receipt by the Board in its Harrisburg or Pittsburgh office.**

**(2) Filings, other than a petition or other document with a showing of interest as defined by § 95.1 (relating to definitions), may be filed with the Board by electronic mail by e-mailing a portable document format (PDF) file of the scanned complete signed document, including attachments and exhibits thereto, to the Board at the Board's designated e-mail address. A party filing by e-mail is responsible for attaching the document using the proper format, and for delay, disruption, interruption of electronic signals and readability of the document and accepts the risk that the e-mailed document may not be properly received or timely filed.**

[ (b) ] (c) When the acts, or this chapter or an order of the Board requires the filing of a motion, brief, exception or other paper in a proceeding, the document shall be received by the Board or the officer or agent designated by the Board to receive the document before the close of business of the last day of the time limit, if any, for the filing. Exceptions to this requirement will be at the discretion of the Board.

[ (c) ] (d) Papers, pleadings, briefs or other documents filed with the Board shall be legibly typed, printed or otherwise legibly duplicated.

[ (d) An original and three copies of the papers, pleadings, briefs or other documents to be filed with the Board shall be submitted to the Board unless otherwise specified. ]

**CHAPTER 95. PUBLIC EMPLOYEES  
INSTITUTION OF REPRESENTATION  
PROCEEDINGS**

**§ 95.11. Request for certification.**

(a) A public employe, employe organization or group of employes and the public employer may, when the public employe organization represents a majority of the employes in an appropriate unit, jointly submit to the Board a request for certification upon a form to be supplied by the Board.

(b) The request for certification shall set forth the following:

(1) The name, address and telephone number of the public employer and the person to contact, including his title, if known.

(2) The name, address and affiliation, if any, of the employe organization and the name, address and telephone number of its representative.

(3) A description and factual statement in support of the unit claimed to be appropriate for the purpose of exclusive representation.

(4) The budget submission date of the public employer.

(5) The signatures of the parties, including their titles and telephone numbers.

(6) A statement that the employe organization represents a majority of the employes in the unit and the method of determining the representative majority. Proof of the representative majority shall be submitted to the hearing examiner, if requested.

(7) The names and addresses of known employe representatives, individuals, labor organizations or groups claiming to represent any of the employes in the bargaining unit.

(8) Five days prior to the submission to the Board of the joint request for certification, the employer shall post on the bulletin boards at all locations where employes in the requested unit work a copy of the joint request for certification and a statement that the request will be filed with the Pennsylvania Labor Relations Board, [ 1601 ] 418 Labor and Industry Building, 651 Boas Street, Harrisburg, Pa. [ 17120 ] 17121, for the purpose of securing from that Board a certification of \_\_\_\_\_ as the exclusive bargaining

(Name of employe representative) representative for the employes within the unit.

(9) Other relevant facts.

\* \* \* \* \*

**§ 95.13. Consent to election request.**

(a) If a public employer consents to an election request by a public employe, a group of public employes or an employe organization, the consent shall be given in writing to the party giving notice within 10 days of the receipt of an election request.

(b) Upon consent to an election request, a joint election request shall be submitted to the Board, in triplicate, upon forms prepared by the Board, which shall include the following:

(1) A description and factual statement in support of the unit deemed appropriate.

(2) The basis for alleging a 30% interest or more.

(3) A list of all unit employes prepared by the employer in the order requested by the Board with occupations or classifications of those agreed upon as eligible to vote.

(4) Suggested times and places of holding the election.

(5) The budget submission date of the public employer.

(6) A 1% showing of interest among employes within the requested unit is required before another employe representative may be placed on the ballot. A 10% showing of interest among employes within the requested unit is required before another employe representative may be permitted to intervene as a party.

(7) If a public employer refuses to consent within the 10-day period to an election, the party making the request may file a petition for representation election. A public employer may file a petition for representation election if, after receiving a notice for an election request, the moving party thereafter fails to submit a joint election request within 10 days after consent is given by the employer.

(c) Five days prior to the submission to the Board of the joint election request, the employer shall post on the bulletin boards at all locations where employes in the requested unit work, a copy of the joint election request and a statement that the request will be filed with the Pennsylvania Labor Relations Board, [ 1601 ] 418 Labor and Industry Building, 651 Boas Street, Harrisburg, Pa. [ 17120 ] 17121, for the purpose of securing from that Board a certification of \_\_\_\_\_

(Name of employe representative)

as the exclusive bargaining representative for the employes within the unit.

**UNFAIR PRACTICES PROCEEDINGS**

**§ 95.31. Charges.**

(a) Charges shall be in writing on forms supplied by the Board and shall be signed and sworn to before a person authorized to administer oaths. An original [ and three copies ] of the charge shall be filed with the Board by one or more public employes, or an employe organization, acting in their behalf, or by a public employer.

\* \* \* \* \*

**PREHEARING PROVISIONS**

**§ 95.41. Service of papers.**

Service of papers by a party on other parties shall be made personally, by United States mail, [ by telegram ] or by leaving a copy of the papers with the person then in charge at the principal office or place of business of the person to be served. Where an attorney or representative has entered his appearance under § 91.2(a) (relating to appearances), complaints, orders and other processes and papers shall be served on the attorney or representative and need not be served on the party. **Service on an attorney or representative may be made personally, by United States Postal Service first-class mail, or where the attorney or representative has approved service by e-mail in an entry of appearance under § 91.2, by e-mail to the e-mail address provided in the entry of appearance.**

**§ 95.42. Filing of papers.**

(a) When the act, this chapter or an order of the Board requires the filing of a motion, brief, exception or other

paper in a proceeding, the document shall be received by the Board or the officer or agent designated by the Board to receive the document before the close of business of the last day of the time limit, if any, for the filing. Exceptions to this requirement will be at the discretion of the Board.

(b) Charges and petitions may be filed with the principal office of the Board in Harrisburg, or with the regional office of the Board in [ **Philadelphia or** ] Pittsburgh. Charge and petition forms are available at Board offices.

***(c) Methods of Filing with the Board.***

**(1) In person at the principal office of the Board in Harrisburg, or with the regional office of the Board in Pittsburgh. If mailed to the Board through the United States Postal Service or third-party courier, the date of filing shall be the date of receipt by the Board in its Harrisburg or Pittsburgh office.**

**(2) Except for a Joint Election Request (Form PERA-3), Petition (Form PLRB-13 or Form PERA-4), or other document with a showing of interest, filing by electronic mail by e-mailing a portable document format (PDF) file of the scanned complete signed document, including attachments and exhibits thereto, to the Board at the Board's designated e-mail address. A party filing by e-mail is responsible for attaching the document using the proper format, and for delay, disruption, interruption of electronic signals and readability of the document and accepts the risk that the e-mailed document may not be properly received or timely filed.**

[ (c) ] (d) Actions before the Board, the first paper filed on behalf of each party shall contain an address including zip code at which service of complaints, orders and other processes and papers of the Board may be made. Thereafter, a party may file with the Board [ **a correction** ] **an entry of appearance under § 91.2(a) (relating to appearances)**, which shall form part of the record in the case, setting forth a new address [ **with zip code** ] at which the service may be made. If he does not do so, notice sent to him by United States mail at his last address of record shall be equivalent to service.

[ (d) ] (e) Papers, pleadings, briefs or other documents filed with the Board shall be legibly typed, printed or otherwise legibly duplicated.

[ (e) **An original and three copies of papers, pleadings, briefs or other documents to be filed with the Board shall be submitted to the Board, unless otherwise specified.** ]

**PROVISIONS FOR FORMAL PROCEEDINGS**

**§ 95.98. Decisions of the Board.**

(a) *Exceptions to a hearing examiner decision.* Filing of statements of exceptions to a hearing examiner decision will be as follows:

(1) A party may file with the Board within 20-calendar days of the date of issuance with the Board an original and four copies of a statement of exceptions and a supporting brief to a proposed decision issued under § 95.91(k)(1) (relating to hearings) or a nisi order issued under § 95.96(b) (relating to exceptions) certifying a representative or the results of an election. Exceptions will be deemed [ **received upon actual receipt** ] **filed in accordance with § 93.12 (relating to service and filing of papers) or § 95.42 (relating to filing of**

**papers)**, or on the date deposited in the United States mail, as shown on a United States Postal Form 3817 Certificate of Mailing enclosed with the statement of exceptions. The statement of exceptions shall:

(i) State the specific issues of procedure, fact or law, or other portion of the proposed decision to which each exception is taken.

(ii) Identify the page or part of the decision to which each exception is taken.

(iii) Where possible, designate by page citation or exhibit number the portions of the record relied upon for each exception.

(iv) State the grounds for each exception.

(2) No reference may be made in the statement of exceptions to any matter not contained in the record of the case.

(3) An exception not specifically raised shall be waived.

(4) The party shall, concurrent with its filing of the statement of exceptions and supporting brief, serve a copy of the same upon each party to the proceeding. Proof of service shall be filed with the Board.

(b) *Failure to file exceptions.* When no exceptions are filed to a proposed decision, it will become final upon the expiration of 20-calendar days from the date of issuance.

(c) *Response to exceptions.* Within 20-calendar days following the date of receipt of the statement of exceptions and supporting brief, a party may file [ **an original and four copies of** ] a response to the statement of exceptions and a supporting brief with the Board [ **and one copy with the hearing examiner** ]. Copies of these documents shall be served concurrently on each party, and proof of service shall be filed with the Board.

\* \* \* \* \*

[Pa.B. Doc. No. 19-486. Filed for public inspection April 5, 2019, 9:00 a.m.]

**DEPARTMENT OF  
LABOR AND INDUSTRY**

[ 34 PA. CODE CH. 111 ]

**Special Rules of Administrative Practice and Procedure Before the Workers' Compensation Appeal Board**

The Department of Labor and Industry (Department), Workers' Compensation Appeal Board (WCAB) proposes to amend 34 Pa. Code Chapter 111, Subchapter B (relating to appeals) to streamline the hearing and disposition of appeals to the WCAB.

*Statutory Authority*

The Department proposes these amendments under the authority contained in sections 401.1 and 435(a) and (c) of the Workers' Compensation Act (act) (77 P.S. §§ 710 and 991(a) and (c)) and section 2205 of The Administrative Code of 1929 (71 P.S. § 565).

*Background*

The WCAB's regulations currently require oral argument in all appeals and cross appeals unless the parties agreed to submission on briefs. See 34 Pa. Code

§§ 111.13(b) and 111.17(a) (relating to processing of appeals and cross appeals; and oral argument). Moreover, these regulations require the petitioner's brief to be filed at or before the date of the oral argument, while the respondent's brief is due 30 days after oral argument. See 34 Pa. Code § 111.16(a) and (b) (relating to briefs: content and form and time for filing). The petitioner generally is the party seeking to review a ruling or decision by a workers' compensation judge, while the respondent is the party or parties in whose favor the matter was decided by the judge. 34 Pa. Code § 111.3(a) (relating to definitions) specifically regarding the definitions of "petitioner" and "respondent."

The current briefing and oral argument requirements significantly delay the consideration and disposition of appeals. Oral arguments are scheduled more frequently in major population areas and less frequently in other areas. As a result, there is greater delay in processing appeals from a petitioner in less-populated areas where oral arguments are only held two or three times a year. Consequently, the appeal is not placed in line for decision until after the oral argument and the receipt of briefs. Under current practice, the WCAB's rules further permit oral request for extensions of the petitioner's brief at oral argument, 34 Pa. Code § 111.16(c), thereby facilitating additional delay in case processing. The average time for decision on appeals to the WCAB was approximately 471 days in 2015, 347 days in 2016 and 334 days in 2017.

The present requirement for oral argument in every case increases the WCAB's travel, lodging and meal expenses, as well as the parties' expenses to the extent that they or their attorneys must attend the arguments. The WCAB generally conducts six argument sessions a year in both Pittsburgh and Philadelphia, four in Harrisburg and Scranton, three in Johnstown, and two in Erie. The majority of these sessions are for multiple days. The WCAB's travel costs for fiscal year 2016-2017 totaled nearly \$53,000. These expenses outweigh the benefit of argument in most cases, particularly since the WCAB does not have both parties' briefs prior to the argument, and may not even have either party's briefs if the petitioner requests an extension at argument. The developments in communication and computer technology have reduced the need for the WCAB members to meet in-person to hear arguments, discuss pending cases or circulate decisions for signature.

#### *Compliance with Executive Order 1996-1*

The Department engaged in extensive public and stakeholder outreach during the drafting process. The Department sought comment from all participants in the workers' compensation system through its Workers' Compensation Automation and Integration System (WCAIS). WCAIS is the enterprise tool used regularly by every workers' compensation employer, insurer (or self-insurer) and legal practitioner to file and manage workers' compensation claims. Stakeholder input was also solicited through the Workers' Compensation Committee of the Pennsylvania Bar Association. Additionally, the Secretary of Labor and Industry reconstituted the Workers' Compensation Rules Committee, a committee originally established by the Secretary in 1978 for the purpose of obtaining comments on procedural rules governing the workers' compensation system. The Workers' Compensation Rules Committee voted on December 11, 2017, to approve the regulatory amendments outlined in Annex A.

This proposed rulemaking was also presented to the Pennsylvania Workers' Compensation Advisory Council created under section 447 of the Workers' Compensation Act on January 10, 2017, for review and comment.

#### *Purpose*

This proposed rulemaking eliminates the mandatory scheduling of oral argument in every case. Instead, the WCAB is given discretion to determine if oral argument is appropriate in select cases. Furthermore, oral argument will be conducted after briefs are submitted and may be conducted by telephone or other electronic means. These changes will streamline the processing and disposition of appeals, reduce the time for decision in most cases and achieve cost savings to both the WCAB and the parties.

#### *Affected Persons*

The persons affected by this proposed rulemaking include the WCAB's Commissioners and staff, attorneys practicing before the WCAB, and parties to appeals filed with the WCAB. The parties in workers' compensation cases include injured employees, possibly their dependents in the case of a fatal injury, self-insured employers, employers typically represented by workers' compensation insurance companies and the Department's Bureau of Workers' Compensation representing special funds created under the act.

#### *Fiscal Impact*

This proposed rulemaking is designed to reduce costs through reduced travel costs and litigation expenses, and will not result in increased costs to the public or private sectors. Because the workers' compensation system is funded through assessments on workers' compensation insurance carriers and self-insured employers, any savings realized in the administration of the system may result in savings to the regulated community through lowered assessments. See section 446 of the Workers' Compensation Act (77 P.S. § 1000.2) (creating the Workers' Compensation Administration Fund and providing for maintenance of the fund through an annual assessment).

#### *Summary of Proposed Rulemaking*

##### *§ 111.13. Processing of Appeals and Cross Appeals.*

This section is amended to eliminate the automatic scheduling of oral argument upon appeals or cross appeals as prerequisite to the WCAB's consideration of the appeal. Instead, appeals will be determined on briefs and the record, unless the WCAB decides to conduct oral argument in a particular case.

##### *§ 111.16. Briefs: Content and Form and Time for Filing.*

The proposed amendments to this section address the time for filing briefs. This section is amended to require that the petitioner's brief be filed within 30 days of the acknowledgement of receipt of appeal by the WCAB. The respondent's brief will be due 30 days after service of the petitioner's brief. A request for an extension of time to file a brief must indicate the other parties' position as to the request. The section is amended to eliminate references to oral argument.

This section is also amended to permit a reply brief by petitioner. A reply brief must be filed within 15 days after service of respondent's brief. The amendments to this section further require parties that wish to request oral argument to include a short statement in the brief addressing the criteria for granting oral argument established in § 111.17.



§ 111.17. *Oral Argument.*

The proposed amendments to this section allow oral argument to be scheduled at the WCAB's discretion, following the close of the briefing schedule, and authorizes oral argument to be conducted by telephone or other electronic means.

In deciding whether to grant oral argument, this section is amended to set forth criteria that the WCAB will use. The criteria include the preference for granting oral argument where there is a substantial or novel issue, where the issue is of precedential value, where the WCAB seeks clarification of a legal or factual point or where intervening court decisions, legislation or regulation may impact on the resolution of the matter. It also provides circumstances in which the granting of oral argument is generally not appropriate, including untimely or frivolous requests, issues lacking specificity, issues that are not novel or are adequately briefed, and issues where there is clear precedent.

This section is also amended to provide that where oral argument is scheduled, parties will be notified as far in advance as possible of the argument date.

§ 111.18. *Decisions of the Board.*

This section is amended to delete current subsection (b), which consists of an obsolete reference to section 441 of The Administrative Code of 1929 (71 P.S. § 151). Section 441 was repealed through the Act of November 9, 2006 (P.L. 1362, No. 147) and replaced by section 401.2 of the Act, 77 P.S. § 710.1. Current subsections (c) and (d) respectively are re-lettered as subsections (b) and (c) in light of this deletion.

*Reporting, Recordkeeping and Paperwork Requirements*

This proposed rulemaking does not require any new forms, and thus does not impose any additional reporting, recording or paperwork requirements on either the Commonwealth or the regulated community. They will reduce the need for the WCAB's staff to issue separate argument notices for all cases. The existing forms used by the WCAB to acknowledge appeals, notify parties of briefing requirements and oral argument may require minor modification since oral argument is no longer automatic; briefs are due before any oral argument granted by the WCAB in its discretion; and oral argument may be conducted by teleconference or other electronic means.

*Sunset Date*

A sunset date is not appropriate for this proposed rulemaking. The WCAB will periodically monitor this proposed rulemaking and submit amendments as needed.

*Effective Date*

This proposed rulemaking will be effective on publication of the final-form regulation in the *Pennsylvania Bulletin*.

*Contact Person*

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Kelly K. Smith, Executive Deputy Chief Counsel, 651 Boas Street, Harrisburg, PA 17121, fax (717) 787-1303, kellysmith@pa.gov within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 27, 2019, the Department submitted a copy of this proposed rulemaking and a copy

of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Labor and Industry Committees. A copy of this proposed rulemaking is available to the public upon request.

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

W. GERARD OLEKSIK,  
*Secretary*

**Fiscal Note:** 12-105. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 34. LABOR AND INDUSTRY**

**PART VII. WORKERS' COMPENSATION  
APPEAL BOARD**

**CHAPTER 111. SPECIAL RULES OF  
ADMINISTRATIVE PRACTICE AND PROCEDURE  
BEFORE THE WORKERS' COMPENSATION  
APPEAL BOARD**

**Subchapter B. APPEALS**

§ 111.13. **Processing of appeals and cross appeals.**

(a) Upon receipt of an appeal or cross appeal, the Board will acknowledge receipt to all parties.

(b) The Board will, in addition to acknowledging receipt of the appeal or the cross appeal, establish the briefing schedule and indicate that the appeal and the cross appeal will be **[ scheduled for oral argument unless all parties agree to submission of the case on only briefs or record ] determined on the briefs or record unless the Board decides, in its discretion, to conduct oral argument as set forth in § 111.17 (relating to oral argument).**

(c) Subsections (a) and (b) supersede 1 Pa. Code § 33.31 (relating to service by the agency).

§ 111.16. **Briefs: content and form and time for filing.**

(a) A brief on behalf of a petitioner shall be filed with the Board **[ at or before the date of oral argument. If oral argument is waived, petitioner shall file a brief ]** within 30 days of the date of the Board's acknowledgement of receipt of the appeal as set forth in § 111.13 (relating to processing of appeals and cross appeals).

(b) A brief on behalf of a respondent shall be filed with the Board **within** 30 days after **[ oral argument ] service of the petitioner's brief.** Otherwise, the respondent shall file a brief with the Board within 60 days of the date of the Board's acknowledgment of receipt of the appeal as set forth in § 111.13.

**(b.1) If a petitioner desires to address issues raised in respondent's brief, the petitioner may file a reply brief. A reply brief on behalf of the petitioner shall be filed with the Board within 15 days after service of the respondent's brief.**

(c) Upon written request of a party directed to the **[ Secretary of the ] Board [ or upon oral request at the time of oral argument, ]** and with notice to all parties, the Board may extend **[ or shorten ]** the time for filing of the party's brief only for good cause shown. A party shall present a request to extend **[ or shorten ]** the time **[ at or before the date set for filing that party's brief ]** for filing a brief before the date set for filing that party's brief. The request shall indicate the position of the other parties with respect to the request.

(d) Briefs not filed with the Board in accordance with the schedule in this section or as modified by the Board under subsection (c) will not be considered and will result in disposition of the appeal without further notice or consideration of the brief of the party failing to comply with these deadlines or schedule.

(e) Briefs, except as otherwise allowed, shall consist of the following items, separately and distinctly set forth:

- (1) A short statement of the questions involved.
- (2) A statement of the facts by the petitioner, or counterstatement of the facts by the respondent.
- (3) The argument.
- (4) A short conclusion setting forth the precise relief sought.

**(4.1) Where oral argument is requested, a short statement explaining the need for oral argument consistent with the criteria specified in § 111.17 (relating to oral argument).**

(5) A proof of service as specified in § 111.12(e) (relating to filing, service and proof of service) insofar as applicable.

(f) An original brief shall be filed.

(g) Briefs shall be served on all parties.

(h) Subsections (a)—(g) supersede 1 Pa. Code §§ 31.35, 33.37, 35.212 and 35.221 and also supersede 1 Pa. Code Chapter 35, Subchapter F (relating to briefs).

#### **§ 111.17. Oral Argument.**

(a) **[ The Board will schedule oral argument in every appeal or cross appeal unless all parties to the appeal or the cross appeal, upon receiving the acknowledgement of appeal or cross appeal, indicate that no oral argument is requested, or that it is waived. ]** Oral argument on an appeal or cross appeal may be scheduled at the discretion of the Board. In determining whether to schedule oral argument, the Board will apply the following criteria:

**(1) Oral argument is generally unnecessary or inappropriate when:**

- (i) The request has not been timely filed.**
- (ii) The request is frivolous.**
- (iii) The request does not set forth the issue with clarity and specificity.**
- (iv) The issue is tightly constrained, not novel and the briefs adequately cover the arguments.**
- (v) The issue in controversy has clearly been decided by the courts.**

**(vi) The facts and legal arguments have been presented adequately in the record and accompanying briefs and oral argument would not be of significant assistance to the Board in the decisional process.**

**(2) A request for oral argument may be granted for any of the following reasons:**

**(i) The request presents a substantial or novel legal issue.**

**(ii) The resolution of the issue presented will be of institutional or precedential value.**

**(iii) The Board has asked counsel to clarify an important legal, factual or procedural point. In lieu of, or in combination with, the granting of a request for oral argument, the Board may request the participants to address these points in writing.**

**(iv) A court decision, legislation, regulation or an event subsequent to the filing of the last brief may bear significantly upon the matter. In lieu of, or in combination with, the granting of a request for oral argument, the Board may request the participants to address these issues in writing.**

**(v) An important public interest may be affected.**

(b) **[ The Board will hear oral argument on appeals and cross appeals according to a schedule prepared in advance for each calendar year. Oral argument will be conducted in Harrisburg, Philadelphia and Pittsburgh and in other locations throughout this Commonwealth, as the Board may schedule, or, as is appropriate in the Board's judgment. ]** Oral argument may be conducted in Harrisburg, Philadelphia, Pittsburgh or other locations in this Commonwealth, or by telephone or other electronic means, as the Board may determine.

(c) **[ Oral ]** If allowed, oral argument will be scheduled at the earliest possible date [ pursuant to the schedule as established by the Secretary of the Board ] following the close of the briefing schedule.

(d) **[ Parties shall be advised as far in advance as possible of the date of oral argument by the acknowledgment of appeal or cross appeal as specified in § 111.13(b) (relating to processing of appeals and cross appeals). ]** The Board will notify parties of the scheduling of oral argument as far in advance as possible of the argument date.

(e) Oral argument shall consist of a presentation, including rebuttal, if necessary, by the petitioner and respondent.

(f) A petitioner or respondent represented by counsel need not be present at oral argument.

(g) Oral argument may be conducted before one or more members of the Board.

(h) Subsections (a)—(g) supersede 1 Pa. Code §§ 33.51, 35.204, 35.214 and 35.221.

#### **§ 111.18. Decisions of the Board.**

(a) The decision of the Board on an appeal and a cross appeal shall be issued as promptly as possible following oral argument or the receipt of briefs, whichever occurs later.

**[ (b) Decisions of the Board on an appeal shall be issued under section 441 of the Administrative Code of 1929 (71 P.S. § 151). ]**

(c) **(b)** Decisions of the Board will be served on all parties and the judge from whose decision the appeal was taken.

**[ (d) ]** **(c)** Subsections **[ (a)—(c) ]** **(a)** and **(b)** supersede 1 Pa. Code §§ 31.13, 31.14, 35.201—35.207 and 35.226.

[Pa.B. Doc. No. 19-487. Filed for public inspection April 5, 2019, 9:00 a.m.]

**ENVIRONMENTAL QUALITY BOARD**

[ 25 PA. CODE CHS. 91 AND 92a ]

**Corrective Amendment to 25 Pa. Code § 91.22**

The Environmental Quality Board has discovered a discrepancy between the agency text of proposed amendments to 25 Pa. Code § 91.22 (relating to fees) as deposited with the Legislative Reference Bureau and the official text of the proposal published in the *Pennsylvania Bulletin* at 49 Pa.B. 1518 (March 30, 2019) for public comment. An entry for Major Sewage Treatment Facility was inadvertently omitted from the proposed published chart in § 91.22.

Therefore, under 45 Pa.C.S. § 901 (relating to official text of published documents), the Environmental Quality Board has deposited with the Legislative Reference Bureau a correction to proposed amendments to 25 Pa. Code § 91.22.

The public comment period will close on May 14, 2019, for the proposed rulemaking published at 49 Pa.B. 1518 (March 30, 2019) which includes these amendments to § 91.22. The effective date of these proposed amendments will be upon final-form publication in the *Pennsylvania Bulletin*.

The corrected version of 25 Pa. Code § 91.22 appears in Annex A.

PATRICK McDONNELL,  
*Chairperson*

**Annex A**

**TITLE 25. ENVIRONMENTAL PROTECTION**

**PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Subpart C. PROTECTION OF NATURAL RESOURCES**

**ARTICLE II. WATER RESOURCES**

**CHAPTER 91. GENERAL PROVISIONS**

**APPLICATIONS AND PERMITS**

**§ 91.22. Fees.**

(a) Applications for **new individual** water quality management permits [ **from parties except agencies of the Commonwealth** ], **reissuance of individual water quality management permits, and requests for permit amendments and transfers** shall be accompanied by a [ **check** ] **fee** payable to “Commonwealth of Pennsylvania,” in the [ **following** ] amounts[ : ] **specified below.**

- (1) For applications for single residence sewage treatment plant permits—\$25.
- (2) For applications for sewer extension permits—\$100.
- (3) For applications for other water quality management permits—\$500.]

<i>Category</i>	<i>Application Type</i>	<i>Fee</i>
<b>Joint Pesticides Permit</b>	<b>New and Reissuance</b>	<b>\$500</b>
	<b>Amendment</b>	<b>\$100</b>
	<b>Transfer</b>	<b>\$50</b>
<b>Major Sewage Treatment Facility</b>	<b>New</b>	<b>\$10,000</b>
	<b>Amendment</b>	<b>\$2,000</b>
	<b>Transfer</b>	<b>\$250</b>
<b>Major Industrial Waste Treatment Facility</b>	<b>New</b>	<b>\$15,000</b>
	<b>Amendment</b>	<b>\$2,000</b>
	<b>Transfer</b>	<b>\$500</b>
<b>Minor and Non-NPDES Sewage Treatment Facility</b>	<b>New</b>	<b>\$5,000</b>
	<b>Amendment</b>	<b>\$500</b>
	<b>Transfer</b>	<b>\$250</b>
<b>Minor and Non-NPDES Industrial Waste Treatment Facility</b>	<b>New</b>	<b>\$7,500</b>
	<b>Amendment</b>	<b>\$500</b>
	<b>Transfer</b>	<b>\$250</b>
<b>Single Residence Sewage Treatment Plant</b>	<b>New</b>	<b>\$200</b>
	<b>Amendment</b>	<b>\$100</b>
	<b>Transfer</b>	<b>\$50</b>

<u>Category</u>	<u>Application Type</u>	<u>Fee</u>
<u>Small Flow Treatment Facility</u>	<u>New</u>	<u>\$1,000</u>
	<u>Amendment</u>	<u>\$200</u>
	<u>Transfer</u>	<u>\$100</u>
<u>Sewer Extensions</u>	<u>New</u>	<u>\$2,500</u>
	<u>Amendment</u>	<u>\$500</u>
	<u>Transfer</u>	<u>\$250</u>
<u>Pump Station</u>	<u>New</u>	<u>\$2,500</u>
	<u>Amendment</u>	<u>\$500</u>
	<u>Transfer</u>	<u>\$250</u>
<u>Land Application and Reuse of Sewage</u>	<u>New and Reissuance</u>	<u>\$5,000</u>
	<u>Amendment</u>	<u>\$1,000</u>
	<u>Transfer</u>	<u>\$250</u>
<u>Land Application and Reuse of Industrial Waste</u>	<u>New and Reissuance</u>	<u>\$10,000</u>
	<u>Amendment</u>	<u>\$2,000</u>
	<u>Transfer</u>	<u>\$250</u>
<u>Manure Storage and Wastewater Impoundment</u>	<u>New</u>	<u>\$2,500</u>
	<u>Amendment</u>	<u>\$500</u>
	<u>Transfer</u>	<u>\$250</u>

(b) [ An ] NOI fees for coverage under a general water quality management permit, **including fees for amendments to and transfers of general permit coverage**, shall be [ accompanied by a check ] made payable to the “Commonwealth of Pennsylvania[ , ].” [ in the amount no greater than \$500 as set forth in the public notice for the general water quality management permit as described in § 91.27(b)(1) (relating to general water quality management permit). ] **The fees for a general permit in § 91.27(b)(1) (relating to general water quality management permit) shall be established in the general permit. NOI fees may not exceed the individual permit application fees in subsection (a) for the equivalent category and application type.**

(c) **The Department will adjust fees for WQM permit applications required under subsection (a) every 2 years based on the United States Bureau of Labor Statistics Employment Cost Index for State and Local Government Compensation, or an equivalent index recognized by the United States Department of Labor, beginning 2 years after \_\_\_\_\_ (Editor’s Note: The blank refers to the effective date of the final-form rulemaking). The adjustment will be based upon the cost difference for the most recent 2-year period prior to the calculation. The fees shall not be adjusted if the application of the index would result in fees exceeding the Department’s costs to administer the Clean Water Program. The Department will publish the final adjusted fee schedule and effective date in the *Pennsylvania Bulletin*.**

(d) **The Department will review the adequacy of the fees established in this section every 3 years and provide a written report to the EQB. The report will identify disparities between the amount of program income generated by the fees and the costs to administer the program, and contain recommendations to increase fees to eliminate any disparities, including recommendations for regulatory amendments to increase program fees.**

(e) **Any Federal or Commonwealth agency or independent Commonwealth commission that provides funding to the Department for the implementation of the WQM program through terms and conditions of a mutual agreement may be exempt from the fees in this section.**

[Pa.B. Doc. No. 19-488. Filed for public inspection April 5, 2019, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Action of Controlled Plant and Noxious Weed Committee; Establishment of Controlled Plant List and Addition of Hemp to Controlled Plant List

A special meeting of the Controlled Plant and Noxious Weed Committee (Committee) was convened on March 21, 2019, in Room 309, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

A Sunshine Notice regarding the special meeting was published at 49 Pa.B. 1032 (March 9, 2019).

The purpose of the special meeting of the Committee was to establish a Controlled Plant List and consider adding hemp to that list, as authorized under 3 Pa.C.S. § 1511(b)(3)(ii) (relating to designation of noxious weeds and controlled plants).

A quorum of the Committee was present at the special meeting. After a presentation by the Department of Agriculture and a discussion of the Committee, the Committee voted to approve the following motion:

Pursuant to the authority of this Committee, set forth at section 1511(b) of the act related to Controlled Plants and Noxious Weeds, I make a motion to create a controlled plant list and place on that list hemp and the definition of hemp which shall be, "The plant *Cannabis sativa L.* and any viable part of that plant, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis."

Under the authority and requirements of section 1511(b)(3)(iv), the Department hereby publishes the Controlled Plant List, with the addition of hemp to that list.

The addition of hemp to the Controlled Plant List will become effective 60 days from publication of this notice.

RUSSELL C. REDDING,  
Secretary

[Pa.B. Doc. No. 19-489. Filed for public inspection April 5, 2019, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Controlled Plant and Noxious Weed Committee Meeting

The Department of Agriculture (Department) announces a public meeting of the Controlled Plant and Noxious Weed Committee (Committee), established by 3 Pa.C.S. § 1511 (relating to designation of noxious weeds and controlled plants). The meeting will be held at 1 p.m. on April 25, 2019, in Susquehanna Room A, Department of Environmental Protection Southcentral Regional Office Building, 909 Elmerton Avenue, Harrisburg, PA 17110.

The purpose of the meeting is to consider addition of four plants to the noxious weed list and to consider a change of noxious weed class for one plant. If time permits, these five plants will be considered at this meeting:

- European frogbit (*Hydrocharis morsus-ranae*)
- Hydrilla (*Hydrilla verticillata*)—consider change from Class A to Class B
- European water chestnut (*Trapa natans*)
- Water primrose (*Ludwigia grandiflora ssp. hexapetala*)
- Tree-of-heaven (*Ailanthus altissima*)

Public comment will be accepted either in person at the meeting or in writing prior to the meeting. Written comments may be sent to RA-plant@pa.gov or the Department of Agriculture, Bureau of Plant Industry Noxious Weed Program, 2301 North Cameron Street, Harrisburg, PA 17110. Written comments must be received by April 25, 2019. Written comments will become a part of the record, with the same force as if presented during the meeting.

The meeting agenda is as follows: presentation of background information on plants for consideration; public comment period; Committee discussion; Committee action on plants under consideration; and new business.

Individuals with questions regarding this meeting should contact the Department at (717) 787-4843.

RUSSELL C. REDDING,  
Secretary

[Pa.B. Doc. No. 19-490. Filed for public inspection April 5, 2019, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority in the Banking Code of 1965 (7 P.S. §§ 101—2204), the Department of Banking and Securities Code (71 P.S. §§ 733-1—733-1203) and 17 Pa.C.S. (relating to Credit Union Code), has taken the following actions on applications received for the week ending March 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, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

## BANKING INSTITUTIONS

## Branch Applications

## De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
03-21-2019	Somerset Trust Company Somerset Somerset County	5256 US 30, Unit FC-05 Greensburg Westmoreland County	Approved
03-21-2019	Noah Bank Elkins Park Montgomery County	350 North Broadway, Unit 352 Jericho Nassau County, NY	Approved
03-22-2019	Republic First Bank Philadelphia Philadelphia County	1544 Route 38 Lumberton Burlington County, NJ	Opened
03-26-2019	Pennian Bank Mifflintown Juniata County	559 North 12th Street Lemoyne Cumberland County	Filed

## Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
03-21-2019	Mid Penn Bank Millersburg Dauphin County	<i>To:</i> 5049 Jonestown Road Harrisburg Dauphin County  <i>From:</i> 5500 Allentown Boulevard Harrisburg Dauphin County	Approved

## CREDIT UNIONS

No activity.

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

ROBIN L. WIESSMANN,  
*Secretary*

[Pa.B. Doc. No. 19-491. Filed for public inspection April 5, 2019, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

## Application of Danielle Mogush for Reinstatement of Teaching Certificates; Doc. No. RE-19-01

## Notice of Opportunity for Hearing and Invitation to Protest

Under the Educator Discipline Act (act) (24 P.S. §§ 2070.1a—2070.18c), the Professional Standards and Practices Commission (Commission) will consider the application of Danielle Mogush for reinstatement of her teaching certificates.

Danielle Mogush filed an application for reinstatement of her teaching certificates under section 16 of the act (24 P.S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Danielle Mogush waived her right to a hearing.

In accordance with the act, 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 22 Pa. Code § 233.123(d), the Commission will act upon the application without hearing, unless within

30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Commission, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protests and requests for hearing shall be filed with Shane Crosby, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact Kyle Shemery at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

PEDRO A. RIVERA,  
*Secretary*

[Pa.B. Doc. No. 19-492. Filed for public inspection April 5, 2019, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

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

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

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

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

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

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

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

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

#### I. NPDES Renewal Applications.

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061603 (Sewage)	Eagle Lake Community Association WWTP Off Route 435, Eagle Lake Campground approximately 1 mile from entrance gate	Lackawanna County Covington Township	Unnamed Tributary to Tamarack Creek (EV, MF) (2-A)	Yes

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0032140 (Sewage)	Lackawanna State Park RR 1 Box 230 Dalton, PA 18414-9753	Lackawanna County Benton Township	South Branch Tunkhannock Creek (TSF) (4-F)	Yes
PA0062367 (Sewage)	Lakeview Estates Homeowners Association P.O. Box 687 Moscow, PA 18444	Wayne County Lehigh Township	Unnamed Tributary of Lehigh River (EV) (2-A)	Yes
PA0029220 (Sewage)	Kettle/Snydersville Diner P.O. Box 30 Stroudsburg, PA 18360-0030	Monroe County Hamilton Township	Kettle Creek (HQ-CWF) (1-E)	Yes
PA0052591 (Sewage)	Becker/Walnutport MHP 901 S Best Avenue Walnutport, PA 18088-9121	Northampton County Lehigh Township	Bertsch Creek (CWF) (2-C)	Yes
PA0060721 (Sewage)	Pocono Plateau Treatment Plant 304 Pocono Plateau Road Cresco, PA 18326-7888	Monroe County Barrett Township	Unnamed Tributary to Taylor Creek (EV (existing use)) (1-C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0035326 (SEW)	Pequea Valley School District High School/Middle School 166 S. New Holland Rd P.O. Box 130 Kinzers, PA 17535	Lancaster County/ Leacock Township	Pequea Creek (7K)	Y
PA0038318 (SEW)	Pequea Valley School District Salisbury Elementary School 166 S. New Holland Rd P.O. Box 130 Kinzers, PA 17535	Lancaster County/ Salisbury Township	Pequea Creek (7K)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0111716 (Sewage)	Wonderview Sanitary Facilities Inc. Wastewater Treatment Plant 88 Dutch Hill Road Bloomsburg, PA 17815-9567	Columbia County Main Township	Susquehanna River (WWF, MF) (5-D)	Yes
PA0022195 (Sewage)	Catawissa Borough Wastewater Treatment Plant 307 Main Street Catawissa, PA 17820-1315	Columbia County Catawissa Borough	Catawissa Creek (5-E)	Yes
PA0110272 (Sewage)	Cogan Valley MHP 480 Route 973 West Cogan Station, PA 17728	Lycoming County Hepburn Township	Lycoming Creek (10-A)	Yes
PAS604803 (Storm Water)	Burns Salvage & Excavating 101 Valley View Road Bellefonte, PA 16823-8705	Centre County Benner Township	Buffalo Run (9-C)	Yes
PA0111538 (Sewage)	Pine Valley Mobile Home Park 215 West Church Road Suite 105 King Of Prussia, PA 19406-3209	Union County West Buffalo Township	North Branch Buffalo Creek (HQ-CWF) (10-C)	Yes



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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0255521 (Sewage)	Dollar General Store Hookstown 400 Penn Center Boulevard Suite 1000 Pittsburgh, PA 15235	Beaver County Greene Township	Unnamed Tributary of Mill Creek (TSF) (20-D)	Yes
PA0097489 (Sewage)	Sharp Paving STP P.O. Box 156 Shelocta, PA 15774-0156	Indiana County Armstrong Township	Curry Run (17-E)	Yes
PA0039489 (Sewage)	Garrett Borough STP P.O. Box 218 307 Municipal Road Garrett, PA 15542-0218	Somerset County Garrett Borough	Casselman River (WWF) (19-F)	Yes
PA0021971 (Industrial)	East Dunkard Water Authority P.O. Box 241 2790 South Eighty-Eight Road Dilliner, PA 15327	Greene County Dunkard Township	Monongahela River (19-G)	Yes
PA0095265 (Industrial)	Heilwood WTP 602 Kolter Drive Indiana, PA 15701-3570	Indiana County Pine Township	Unnamed Tributary to Yellow Creek (CWF) (18-D)	No

## **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.*

**PA0054305**, Storm Water, SIC Code 5171, **Sunoco Partners Marketing & Terminals, LP**, 4041 Market Street, Upper Chichester, PA 19014. Facility Name: Sunoco Partners Marketing & Terminals Exton. This existing facility is located in 623 East Lincoln Highway, Exton, PA 19341, in West Whiteland Township, **Chester County**.

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

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

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	XXX	Report
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Recoverable Petroleum Hydrocarbons	XXX	XXX	XXX	15	XXX	30
Diesel Range Organics	XXX	XXX	XXX	XXX	XXX	Report

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

- I. Stormwater Outfalls and Authorized Non-Stormwater Discharges
- II. Best Management Practices (BMPs)
- III. Routine Inspections
- IV. Preparedness, Prevention and Contingency (PPC) Plan
- V. Stormwater Monitoring Requirements
- VI. Other Requirements
  - A. Acquire Necessary Property Rights
  - B. Sludge Disposal Requirement
  - C. WQM Permits Superseded by NPDES Permit
  - D. BAT/BCT Reopener

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.

**PA0055263**, Sewage, SIC Code 4952, **Executive Center Condo Association**, 350 S Main Street, Suite 211, Doylestown, PA 18901. Facility Name: Executive Center Condo Association STP. This existing facility is located in Plumstead Township, **Bucks County**.

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

The receiving stream(s), Unnamed Tributary of North Branch Neshaminy Creek (WWF, MF), is located in State Water Plan watershed 2-F and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 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	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min	XXX	XXX	XXX
			2.0			
Total Residual Chlorine (TRC)	XXX	XXX	Inst Min	1.2	XXX	2.5
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	20	XXX	40
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean	9.0	XXX
Ammonia-Nitrogen	XXX	XXX	XXX			
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- AMR Reporting
- No Stormwater
- Necessary Property Rights
- Proper Sludge Disposal
- Abandon STP
- Minimize Chlorine Usage
- Small Stream Discharge
- Notification of Designated Operator

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.

**PA0244503**, Sewage, SIC Code 8811, **Meyer Dean L**, P.O. Box 71, Wagontown, PA 19376-0071. Facility Name: Meyer SRSTP. This existing facility is located in West Caln Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to West Branch Brandywine Creek, is located in State Water Plan watershed 3-H and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .0005 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>Annual Average</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
Dissolved Oxygen	XXX	XXX	6.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	20.0	XXX	40
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	9.0	XXX	18

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

- AMMR to DEP
- No stormwater
- Property Rights
- Sledge Removal
- Abandon STP when municipal sewers available
- Maintenance
- AMR submittal

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.

**PA0053074**, Sewage, SIC Code 6512, **Piper Group Inc.**, P.O. Box 320, Pipersville, PA 18947-0320. Facility Name: Valley Green Center STP. This existing facility is located in Whitemarsh 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), Sandy Run, is located in State Water Plan watershed 3-F 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 .0083 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 Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.2
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	20	XXX	40
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	Report
Ammonia-Nitrogen	XXX	XXX	XXX	6.0	XXX	12
Nov 1 - Apr 30						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX

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

- No stormwater to sanitary sewers
- Necessary property rights
- Proper sludge disposal
- Abandon STP if public sewers become available
- TRC minimization
- Notification of designation of responsible operator
- Twice per month sampling

- Fecal coliform reporting
- Remedial measures if public nuisance
- Operations and maintenance plan

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

The EPA Waiver is in effect.

**PA0011428**, Storm Water, SIC Code 5171, **Pbf Logistics Products Terminal LLC**, 3rd Street and Billingsport Road, Paulsboro, NJ 08066. Facility Name: Pbf Logistics Products Terminals LLC. This existing facility is located in Philadelphia City, **Philadelphia County**.

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

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed 3-F and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on stormwater.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Recoverable Petroleum Hydrocarbons	XXX	Daily Max XXX	XXX	15	XXX	30
Benzene	XXX	XXX	XXX	XXX	XXX	Report
MTBE	XXX	XXX	XXX	XXX	XXX	Report
TSS	XXX	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0 IMAX

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

I.

- Property Rights
- Sludge Disposal
- BAT/BCT

II. Stormwater Requirements

III. Petroleum Marketing Terminal

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

The EPA Waiver is in effect.

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

**PA0081116**, Sewage, SIC Code 8211, **Solanco School District**, 121 S Hess Street, Quarryville, PA 17566-1225. Facility Name: Southern Lancaster County High School. This existing facility is located in East Drumore Township, **Lancaster County**.

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

The receiving stream(s), Unnamed Tributary to Stewart Run, is located in State Water Plan watershed 7-K and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .02 MGD.—Limits.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Instantaneous Minimum	Average Monthly	Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	Daily Max XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	Report	XXX	XXX	XXX
Ammonia-Nitrogen (lbs/mo) Nov 1 - Apr 30	Report Total Mo	XXX	XXX	9.0	XXX	18
May 1 - Oct 31	Report Total Mo	XXX	XXX	3.0	XXX	6

The proposed effluent limits for Outfall 001 are based on a design flow of .02 MGD.—Limits.

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

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

The EPA Waiver is in effect.

**PA0022233**, Sewage, SIC Code 4952, **Arendtsville Borough Municipal Authority Adams County**, 1 Chestnut Street, Arendtsville, PA 17303. Facility Name: Arendtsville STP. This existing facility is located in Arendtsville Borough, **Adams 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), Conewago Creek, is located in State Water Plan watershed 7-F and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .14 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.4	XXX	1.0
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> ) Nov 1 - Apr 30	29	46.5	XXX	25	40	50
May 1 - Oct 31	23	35	XXX	20	30	40
Biochemical Oxygen Demand (BOD <sub>5</sub> ) Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	35	52.5	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000

<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>	
Ammonia-Nitrogen Nov 1 - Apr 30	21	XXX	XXX	18	XXX	36
May 1 - Oct 31	7.0	XXX	XXX	6.0	XXX	12
Total Phosphorus	2.3	XXX	XXX	2.0	XXX	4
Copper, Total	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX
Bromide	Report	Report Daily Max	XXX	Report	Report Daily Max	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of .14 MGD.—Limits.

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

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

The EPA Waiver is in effect.

**PA0084565**, Sewage, SIC Code 4952, **York Water Co.**, 130 E Market Street, York, PA 17401-1219. Facility Name: East Prospect STP. This existing facility is located in Lower Windsor Township, **York County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of .0875 MGD.—Interim Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 InstMin	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	18.0	29.0	XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> ) 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	22.0	33.0	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	XXX	Report	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs) (lbs)	Report Total Mo	XXX	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Ammonia-Nitrogen	Total Mo			Report		
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	XXX
May 1 - Oct 31	6.9	XXX	XXX	9.5	XXX	19
Ammonia-Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo					
Total Kjeldahl Nitrogen (Total Load, lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					

The proposed effluent limits for Outfall 001 are based on a design flow of .175 MGD.—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>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	36.0	58.0	Inst Min XXX	25.0	40.0	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent		Daily Max				
Total Suspended Solids	43.0	65.0	XXX	30.0	45.0	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ultraviolet light intensity (mW/cm <sup>2</sup> )	XXX	XXX	XXX	Geo Mean Report	XXX	Report
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Nitrogen	Total Mo					
Total Nitrogen (Total Load, lbs)	Report	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Nov 1 - Apr 30						
May 1 - Oct 31	12.4	XXX	XXX	8.5	XXX	17
Ammonia-Nitrogen (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Total Mo					
Total Kjeldahl Nitrogen (Total Load, lbs)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Total Load, lbs)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					

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

The EPA Waiver is in effect.

**PA0044911**, Industrial, SIC Code 2023, **Land O Lakes Inc.**, 405 Park Drive, Carlisle, PA 17015-9270. Facility Name: Land O Lakes. This existing facility is located in South Middleton Township, **Cumberland County**.

Description of Existing Activity: The application is for an NPDES permit amendment for an existing discharge of treated Industrial Waste. The amendment is to include stormwater requirements in the existing permit.

The receiving stream(s), Mountain Creek, is located in State Water Plan watershed 7-E and is classified for Migratory Fishes, High Quality—Cold Water, Trout Stocking, and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of .95 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Inst Min 5.0 Daily Min	XXX	XXX	XXX
Temperature (deg F) (°F)						
Aug 1 - Jun 30	XXX	XXX	XXX	Report	110	XXX
Jul 1 - 31	XXX	XXX	XXX	Report	91	XXX
Carbonaceous Biochemical Oxygen Demand	79	158	XXX	10.0	20.0	25
Biochemical Oxygen Demand Industrial Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids Industrial Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	79	158	XXX	10.0	20.0	25
Nitrate-Nitrite as N	XXX	Report	XXX	XXX	Report	XXX
Total Nitrogen	XXX	Report	XXX	XXX	Report	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	35	71	XXX	4.5	9.0	11
May 1 - Oct 31	11	23	XXX	1.5	3.0	3.7
Total Kjeldahl Nitrogen	XXX	Report	XXX	XXX	Report	XXX
Total Phosphorus	7.5	15	XXX	1.0	2.0	2.5

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Biochemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	XXX	Report	XXX

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

The EPA Waiver is in effect.

**PA0009440**, Industrial, SIC Code 4941, **PA American Water**, 852 Wesley Drive, Mechanicsburg, PA 17055-4436. Facility Name: Silver Springs Water Treatment Plant. This existing facility is located in Silver Spring Township, **Cumberland 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), Conodoguinet Creek, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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



The proposed effluent limits for Outfall 002 are based on a design flow of .391 MGD.—Limits.

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

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

The EPA Waiver is in effect.

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

**PA0233021**, Sewage, SIC Code 4952, **Judson Mantz & Lynn Chaplin**, 2447 Valley View Road, Bellefonte, PA 16823. Facility Name: Judson Mantz & Lynn Chaplin. This proposed facility is located in Benner Township, **Centre County**.

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

The receiving stream(s), Unnamed Tributary of Buffalo Run, is located in State Water Plan watershed 9-C and is classified for High Quality—Cold Water and Migratory Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Average Monthly	Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

Sludge use and disposal description and location(s): Septic tank hauler.

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

EPA waiver is in effect.

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

**PA0094226**, Industrial, SIC Code 4941, **Wilksburg-Penn Joint Water Authority**, 2200 Robinson Boulevard, Wilksburg, PA 15221-1112. Facility Name: Wilksburg-Penn Joint Water Authority. This existing facility is located in Penn Hills Township, **Allegheny County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge from the water treatment plant's flocculation/clarification basin supernatant, filter backwash and plant leakage, and clarifier blowdown basin supernatant.

The receiving stream, 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 proposed effluent limits for Outfall 001 are based on a design flow of 1.65 MGD.—Limits.

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

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
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	Report	Report	XXX
Iron, Total	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	XXX
Thallium, Total (ug/L)	XXX	XXX	XXX	2.4	3.8	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 0.445 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>Daily Maximum</i>	
Flow (MGD)						
Internal Monitoring Point	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)						
Internal Monitoring Point	XXX	XXX	6.0 Daily Min	XXX	9.0	XXX
Total Residual Chlorine (TRC)						
Internal Monitoring Point	XXX	XXX	XXX	0.5	1.0	XXX
Total Suspended Solids						
Internal Monitoring Point	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total						
Internal Monitoring Point	XXX	XXX	XXX	4.0	8.0	XXX
Iron, Total						
Internal Monitoring Point	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total						
Internal Monitoring Point	XXX	XXX	XXX	1.0	2.0	XXX
Thallium, Total (ug/L)						
Internal Monitoring Point	XXX	XXX	XXX	8.3	13.0	XXX

The proposed effluent limits for Outfall 201 are based on a design flow of 0.049 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>Daily Maximum</i>	
Flow (MGD)						
Internal Monitoring Point	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)						
Internal Monitoring Point	XXX	XXX	6.0 Daily Min	XXX	9.0	XXX
Total Residual Chlorine (TRC)						
Internal Monitoring Point	XXX	XXX	XXX	0.5	1.0	XXX
Total Suspended Solids						
Internal Monitoring Point	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total						
Internal Monitoring Point	XXX	XXX	XXX	4.0	8.0	XXX
Iron, Total						
Internal Monitoring Point	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total						
Internal Monitoring Point	XXX	XXX	XXX	1.0	2.0	XXX
Thallium, Total (ug/L)						
Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX

*Note:* Effluent limitations and monitoring requirements for Total Thallium and Total Antimony 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 Wilkesburg-Penn Joint Water Authority 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.

**PA0097462**, Industrial, SIC Code 4952, **Indiana County Municipal Service Authority**, 602 Kolter Drive, Indiana, PA 15701-3570. Facility Name: ICMSA—Cherry Tree Water Treatment Plant. This existing facility is located in Susquehanna Township, **Cambria 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), Peg Run, is located in State Water Plan watershed 8-B 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 0.003 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>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	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	1.0	XXX
Total Suspended Solids	XXX	XXX	XXX	30.0	60.0	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	8.0	XXX
Iron, Total	XXX	XXX	XXX	2.0	4.0	XXX
Manganese, Total	XXX	XXX	XXX	1.0	2.0	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.

**PA0091782**, Sewage, SIC Code 4952, **West Hills Area WPCA**, 257 Linde Road, Kittanning, PA 16201-4719. Facility Name: West Hills Area WPCA STP. This existing facility is located in North Buffalo Township, **Armstrong 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), Allegheny River, is located in State Water Plan watershed 17-E and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.3 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Average Monthly</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	271	406	XXX	25.0	37.5	50
Biochemical Oxygen Demand (BOD <sub>5</sub> )	Report	Report	Report	Report	XXX	XXX
Raw Sewage Influent				Wkly Avg		
Total Suspended Solids	325	488	XXX	30.0	45.0	60
Total Suspended Solids	Report	Report	XXX	Report	Report	XXX
Raw Sewage Influent						
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2,000	XXX	10,000
Oct 1 - Apr 30				Geo Mean		
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	271	XXX	XXX	25.0	XXX	50

The proposed effluent limits for Outfall 001 are based on a design flow of 1.3 MGD.—Limits.

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

Sludge use and disposal description and location(s): dewatered sludge is disposed at Seneca Landfill.

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

The EPA Waiver is not in effect.

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

**PA0272001**, Sewage, SIC Code 8800, **Jerry Park**, 10518 Scandia Road, Russell, PA 16345. Facility Name: Jerry Park SRSTP. This proposed facility is located in Elk Township, **Warren County**.

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

The receiving stream(s), Unnamed Tributary to Fishburn Run, is located in State Water Plan watershed 16-B 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 0.0005 MGD.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	XXX

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

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

The EPA Waiver is in effect.

**PA0272078**, Sewage, SIC Code 8800, **Patricia and William Menz**, 10644 Station Road, North East, PA 16428. Facility Name: Patricia & William Menz SRSTP. This proposed facility is located in Greenfield Township, **Erie County**.

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

The receiving stream is an unnamed tributary to the West Branch French Creek, located in State Water Plan watershed 16-A and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Annual Average	Maximum	
Flow (MGD)	Report Annl Avg	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0 Daily Min	XXX	9.0 Daily Max	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD <sub>5</sub> )	XXX	XXX	XXX	10.0	XXX	20.0
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20.0
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000

Sewage sludge is temporally stored in the treatment facility.

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

The EPA Waiver is in effect.

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

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

**WQM Permit No. 5684404 A-4**, Sewage, **Somerset Borough Municipal Authority Somerset County**, P.O. Box 71, Somerset, PA 15501-0071.

This existing facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Replacement of existing sewage influent pumps.

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

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

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

**WQM Permit No. 0216408 A-1**, Sewage, **Pleasant Hills Borough Allegheny County**, 410 E Bruceton Road, Pleasant Hills, PA 15236-4504.

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

Description of Proposed Action/Activity: Replacement of the existing Tassel Lane Pump Station and force main with a new submersible type pump station and new 4-inch diameter force main approximately 720 feet in length.

**WQM Permit No. 6319200**, Industrial, **Pennsylvania Transformer Technology, Inc.**, 30 Curry Avenue, Canonsburg, PA 15317-0440.

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

Description of Proposed Action/Activity: Construction and operation of a treatment system to treat groundwater and storm water from existing onsite storm sewers.

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

**WQM Permit No. 1091402 A-1**, Sewage, **Pittsburgh District Church of the Nazarene**, 177 North Road, Butler, PA 16001-0281.

This existing facility is located in Franklin Township, **Butler County**.

Description of Proposed Action/Activity: Amendment to install aerobic sludge tank at existing wastewater treatment plant.

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

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

**PAI130040, Northampton Township MS4**, 55 Township Road, Richboro, PA 18954. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Northampton Township, **Bucks County**. The receiving stream(s), Ironworks Creek (WWF, MF), Mill Creek (WWF, MF), Little Neshaminy Creek (WWF, MF), Pine Run (WWF, MF), and Unnamed Tributary to Neshaminy Creek (WWF, MF), is located in State Water Plan watershed 2-F and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

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

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

**PAI132239, MS4, Lehigh County**, 17 S 7th Street, Allentown, PA 18101-2400. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Allentown City, **Lehigh County**. The receiving stream(s), Little Lehigh Creek (HQ-CWF, MF), Trout Creek (CWF, MF), Cedar Creek (HQ-CWF, MF), Unnamed Tributary of Schaefer Run (HQ-CWF, MF), Lehigh River (WWF, MF), and Jordan Creek (TSF, MF), is located in State Water Plan watershed 2-C and is classified for Migratory Fishes, Cold Water Fishes, Warm Water Fishes, High Quality—Cold Water, Trout Stocking, and Migratory Fish, aquatic life, water supply and recreation. The applicant is classified as a small MS4.

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

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

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


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*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 &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD230032	390 East Chester Pike Investors, LLC 416 Bethlehem Pike Fort Washington, PA 19034-3418	Delaware	Ridley Township	Stoney Creek WWF-MF

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

*Monroe County Conservation District, 8050 Running Valley Road, Stroudsburg, PA 18347.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD450081	Cornerstone Community Church 388 Polk Twp Rd Kunkletown, PA 18058	Monroe	Polk Twp	Pohopoco Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480086	Werner Enterprises Inc 14507 Frontier Rd Omaha, NE 68138	Northampton	Palmer Twp	Shoeneck Creek (WWF, MF) Bushkill Creek (HQ-CWF, MF)
PAD480085	City of Bethlehem 10 E Church St Bethlehem, PA 18018	Northampton	City of Bethlehem	Monocacy Creek (HQ-CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAS603508 (Storm Water)	Cumberland Scrap Metal Recyclers P.O. Box 307 Carlisle, PA 17013-0307	Cumberland County	Middlesex Township	Unnamed Tributary to Letort Spring Run (7-B)	Yes

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

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD380008	Steven J. Spohn 324 Liberty Street Ephrata, PA 17522	Lebanon	Heidelberg Township	Segloch Run (EV, MF) Middle Creek (WWF, MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140047 previously PAI041408014R Renewal	Glenn O. Hawbaker, Inc. 1952 Waddle Road State College, PA 16803	Centre	Patton Twp	UNT to Spring Creek CWF

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

PAG-12 CAFOs

**MS4 PAG-13 Notices of Intent Received.**

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136406	Union Township 3904 Finleyville Elrama Road Finleyville, PA 15332-3011	Union Township, Washington County	N	Y

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>New or Renewal</i>
Leslie Burkholder 52 Burkholder Lane Fredericksburg, PA 17026	Lebanon	118.3	261.12	Layers Steer Swine	WWF	Renewal

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

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

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

### SAFE DRINKING WATER

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

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

**Permit No. 0619503**, Public Water Supply.

Applicant	<b>Perry Township Municipal Authority</b>
Municipality	Shoemakersville Borough
County	<b>Berks</b>
Responsible Official	Donald Mast, Chairman P.O. Box 308 Shoemakersville, PA 19555
Type of Facility	Public Water Supply
Consulting Engineer	William W. Witman, PE Envirotech & Associates Inc 519 Reading Avenue West Reading, PA 19611
Application Received:	2/4/2019
Description of Action	Proposed to construct a new booster pumping station near the Charles Estates, at the intersection of Luisa Court and Main Street. The permittee has also proposed to install liquid chlorine injection equipment in order to boost the chlorine residual throughout the distribution system.

**Permit No. 3119503 MA, Minor Amendment**, Public Water Supply.

Applicant	<b>Mapleton Municipal Water Authority</b>
Municipality	Union Township
County	<b>Huntingdon</b>
Responsible Official	Michael Corbin, Chairman P.O. Box 306 Mapleton Depot, PA 17052
Type of Facility	Public Water Supply
Consulting Engineer	Garret J. Hargenrader, PE Gwin, Dobson & Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602
Application Received:	3/6/2019
Description of Action	Proposed to operate existing Tank Nos. 1 and 2 simultaneously and modify the piping configuration to plumb the tanks in series.

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

**Permit No. 2719501**, Public Water Supply.

Applicant	<b>Forest Area School District</b>
Township or Borough	Hickory Township
County	<b>Forest County</b>
Responsible Official	Amanda Hetrick, Superintendent
Type of Facility	Public Water Supply
Consulting Engineer	Marty English, PE The EADS Group 15392 Route 322 Clarion, PA 16214
Application Received Date	March 19, 2019
Description of Action	Install chemical injection system to assist with corrosion protection.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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

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



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

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

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

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

**Winifred Linton Property**, 505 Donegal Springs Road, Mount Joy, PA 17552, Mount Joy Borough, **Lancaster County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Winifred Linton, 505 Donegal Springs Road, Mount Joy, PA 17522, submitted a Notice of Intent to Remediate site soil contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard. Future use of the site will continue to be used for residential purposes. The Notice of Intent to Remediate was published in the *LNP* on March 12, 2019.

**Charles Kerst Property**, 1411 Long Lane, Columbia, PA 17512, East Donegal Township, **Lancaster County**. Liberty Environmental, Inc., 315 West James Street, Suite 205, Lancaster, PA 17603, on behalf of Charles Kerst, 1411 Long Lane, Columbia, PA 17512, submitted a Notice of Intent to Remediate soil contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard. Future use of the site is to be used for residential purposes. The Notice of Intent to Remediate was published in the *LNP* on February 11, 2019.

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

**Calex Express**, 58 Pittston Avenue, Yatesville Borough, **Luzerne County**. Geological & Environmental Associates, 430 West Mountain Road, Plymouth, PA 18651, on behalf of Calex Express, 58 Pittston Avenue, Pittston, PA 18640, submitted a Notice of Intent to Remediate. Soil contamination was caused by releases from an aboveground storage tank that contained diesel. Future use of the site will be non-residential. The Notice of Intent to Remediate was published in *The Citizens Voice* on March 13, 2019.

**Jairdullo Property**, 3341 Sherwood Road, Palmer Township, **Northampton County**. JMT Industrial & Environmental Contracting, 710 Uhler Road, Easton, PA 18045, on behalf of Vincent and Sharon Jairdullo, 3341 Sherwood Road, Easton, PA 18045, submitted a Notice of Intent to Remediate. Soil contamination was caused by releases from an underground storage tank that contained heating oil. Future use of the site will be residential. The Notice of Intent to Remediate was published in *The Morning Call* on March 11, 2019.

**Dorney Park and Wildwater Kingdom**, 3830 Dorney Park Road, South Whitehall Township, **Lehigh County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of Dorney Park and Wildwater Kingdom, 3830 Dorney Park Road, Allentown, PA 18104, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of heating oil from an aboveground storage tank at a greenhouse. Future use of the site will be non-residential. Statewide Health remediation standards are planned for this site. The Notice of Intent to Remediate was published in *The Morning Call* on March 15, 2019.

**Dingmans Best Fuel Station**, 1596 Dingmans Turnpike, Delaware Township, **Pike County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Dingmans Fuel Transfer Corporation, P.O. Box 686, Dingmans Ferry, PA 18328, submitted a Notice of Intent to Remediate. Soil was contaminated by a release of diesel. Future use of the site will be residential. Statewide Health remediation standards are planned for this site. The Notice of Intent to Remediate was published in *The News Eagle* on January 19, 2019.

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

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

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

**Permit Application No. 301256. MC Project Company, LLC**, 600 Hamilton Street, Allentown, PA 18101. A permit reissuance to transfer the permit for the Martins Creek SES Basin 1 facility located in Lower Mount Bethel Township, **Northampton County** from Martins Creek, LLC to MC Project Company, LLC. The application was received on March 18, 2019 and deemed administratively complete by the Regional Office on March 22, 2019.

**Permit Application No. 301257. MC OpCo, LLC**, 600 Hamilton Street, Allentown, PA 18101. A permit reissuance to transfer the permit for the Martins Creek SES Basin 4 facility located in Lower Mount Bethel Township, **Northampton County** from Martins Creek, LLC to MC OpCo, LLC. The application was received on March 18, 2019 and deemed administratively complete by the Regional Office on March 22, 2019.

Comments concerning the application should be directed to Roger Bellas, Environmental Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

#### 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.

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**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.**

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

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

**40-00007C: Bemis Company, Inc.** (20 Jaycee Drive, West Hazleton, PA 18202) for installation of one (1) regenerative thermal oxidizer (RTO) at their Bemis Performance packaging facility in West Hazleton Borough, **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 for Bemis Company, Inc. (20 Jaycee Drive, West Hazleton, PA 18202) for their Bemis Performance packaging facility in West Hazleton Borough, Luzerne County. This Plan Approval No. 40-00007C will be incorporated into a Title V Permit through an administrative amendment at a later date.

Plan Approval No. 40-00007C is for the installation of one (1) new regenerative thermal oxidizer (RTO) to replace three (3) existing catalytic oxidizers to control VOC emissions at their facility. A VOC destruction removal efficiency (DRE) of 98% will be required for this control device. The VOC emissions for this source is less than 1.0 ton/year. The Plan Approval will contain additional recordkeeping, testing and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 40-00007. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 40-00007C and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

**54-00022D: Hydro Extrusions USA LLC** (53 Pottsville Street, Cressona, PA 17929) For installing a

new automotive press line at the site located in Cressona Borough, **Schuylkill County**.

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (DEP) intends to issue a plan approval to Hydro Extrusions USA, LLC to install a new automotive press line with log furnace and three age ovens at their facility located in Cressona Borough, Schuylkill County. The facility currently has a Title V Operating Permit No. 54-00022. Plan approval 54-00022D will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval 54-00022D is for the installation of a new automotive press line which includes one log furnace, one extrusion press, three age ovens, one cooling tower and associated ancillary equipment. Total facility emissions shall not exceed the following limits during any consecutive a 12-month rolling period in tons per year: NO<sub>x</sub> 99.9, CO 99.9, VOC 49.9, PM<sub>10</sub>/PM<sub>2.5</sub> 99.9, and SO<sub>2</sub> 99.9. The facility is subject to 40 CFR Part 63 Subpart RRR requirements. Hydro Extrusions USA LLC is a major facility for HAPs emissions and is subject to Title V permitting requirements and is located in Cressona Borough, Schuylkill County. The plan approval will include all appropriate monitoring, record keeping, and reporting requirements designed to keep the equipment operating within all applicable air quality requirements. Further details on the conditions and the reasons for their inclusion are available upon request.

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

Any person(s) wishing to provide DEP with additional information they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. The submittal of written comment must contain the name, address and telephone number of the commentator, identification of the proposed Permit No. 54-00022D 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 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 Raymond Kempa, Chief, New Source Review Section, 2 Public Square, Wilkes-Barre, PA 18711, or 570-826-2511.

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

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

**20-194F: Lord Corporation** (601 South Street, Saegertown, PA 16433) for installation of a curative production line at their facility in Saegertown Borough, **Crawford County**. This is a Title V facility.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to

issue Plan Approval 20-194F to Lord Corporation for installation of a curative production line at their facility in Saegertown Borough, Crawford County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 20-194F is for the installation of a CM-100 curative manufacturing line, to consist of four (4) batch reactors, a plate and frame filter press and associated wash process, and associated storage vessels for process intermediates. Particulate emissions from the proposed filter press will be controlled by a proposed dust collector. VOC emissions from the filter press and wash process will be controlled by an existing regenerative thermal oxidizer (Source ID C106). NO<sub>x</sub> emissions from proposed batch reactor RS-34 will be controlled by two (2) existing scrubbers (Source IDs C8280A and C8280B). Based on the information provided by the applicant and DEP's own analysis, total potential emissions from the subject source(s) will be 8.45 tons of particulate matter less than 2.5 microns (PM<sub>2.5</sub>), 4.9 tons of volatile organic compounds (VOC), and 0.12 ton of nitrogen oxides (NO<sub>x</sub>). The Plan Approval will contain testing, monitoring, reporting, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Additionally, the Plan Approval will contain applicable provisions of 40 CFR 63 Subpart FFFF (National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing). Copies of the application, DEP's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the following address. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide DEP with additional information they believe should be considered may submit the information to the following address. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the name, address, and telephone number of the person submitting comments, identification of the proposed Plan Approval; No. 20-194F and a concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

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

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

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

**NOTICE OF INTENT TO REISSUE A PLANTWIDE APPLICABILITY LIMITATION (PAL) FOR NITROGEN OXIDES (NO<sub>x</sub>) AND SULFUR OXIDES (SO<sub>x</sub>).**

Applicant: Naval Surface Warfare Center, Philadelphia Division (NSWCPD).

Plant Location: 901 Admiral Peary Way, Philadelphia, PA 19112-1403.

Source Description: Research, development, testing and evaluation facility.

AMS 14347: AMS is proposing to issue a PAL Permit to NSWCPD for the following pollutants:

- Nonattainment New Source Review (NNSR) PAL for Nitrogen Oxides (NO<sub>x</sub>) for 240.4 tons per rolling 12-month period.
- Attainment New Source Review/Pollution of Significant Deterioration (PSD) NO<sub>x</sub> for 240.4 tons per rolling 12-month period.
- Attainment New Source Review/Pollution of Significant Deterioration (PSD) PAL for Sulfur Oxides (SO<sub>x</sub>) for 54.3 tons per rolling 12-month.

The proposed PAL Permit, if finally approved, will also be incorporated into a revised operating permit for the facility. Therefore, this notice serves as the public's only opportunity under Title V to provide comments on record for this proposed permit action.

Copies of all documents and information concerning this permit are available for review in the offices of Air Management Services, 321 University Ave., Philadelphia, PA 19104-4543 during normal business hours. Persons wishing to review these documents should contact Debra Williams (215-685-7572) at the previously listed address.

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

#### OPERATING PERMITS

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

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

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

**09-00066: Exelon Generation Co/Fairless Hills Generation Station** (990 Steel Road, Fairless Hills, PA 19030) located in Falls Township, **Bucks County**. This action is a renewal of the Title V Operating Permit. Based on its potential-to-emit volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>) the facility is a Title V facility. The renewed 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 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.*

**06-05034: Texas Eastern Transmission LP/Bechtelsville** (467 Forgedale Road, Barton, PA 19504) to issue a Title V Operating Permit for the natural gas compressor station located in Washington Township, **Berks County**. The actual emissions from the facility in 2017 year are estimated at 265.1 tpy of NO<sub>x</sub>, 60.9 tpy of CO, 1.3 tpy of PM<sub>10</sub>, 2.4 tpy of SO<sub>x</sub>, 45.7 tpy of VOC, 3.4 tpy of Formaldehyde and 6.0 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60 Subpart GG—Standards of Performance for Stationary Gas Turbines, 40 CFR 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, RACT 1 requirements, Presumptive RACT 2 requirements and Case-by-Case RACT 2 requirements.

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

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

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

**23-00088: Southco, Inc.** (210 North Brinton Lake Road, Concordville, PA 19331) for operations at the manufacturing facility located in Concordville Township, **Delaware County**. The renewal permit is for a non-Title V (State Only) facility. The facility is categorized as a Natural Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00106: Univar USA Inc.** (200 Dean Sievers Place, Morrisville, PA 19067) submitted a renewal for a Non-Title V Facility, State-Only, Synthetic Minor Permit in Falls Township, **Bucks County**. Univar USA Inc is a chemical and allied products merchant wholesaler. The sources of emissions include: a boiler, diesel fire pump, emergency generators, storage tanks and transfer stations. The facility voluntarily took a total VOC HAP and total NO<sub>x</sub> emission limit of 24.9 tons per year and a 9.9-tons per year limit on individual HAPs calculated on a 12-month rolling sum. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**09-00064: CRC Industries, Inc.** (885 Louis Drive, Warminster, PA 18974) is a non-Title V, Synthetic Minor facility in Warminster Township, **Bucks County**. This action is a renewal of the State Only Operating Permit. CRC Industries, Inc. manufactures specialty chemicals used in the automotive, marine, electrical and industrial maintenance markets. The main emissions for this facility are volatile organic compounds, of which the facility is limited to less than 24.5 tons per year of emissions, and hazardous air pollutants, of which the facility is limited to less than 10 tons per year for any single hazardous air pollutant and less than 25 tons per year for all of the hazardous air pollutants combined. The requirements from 40 CFR Part 60, Subpart JJJJ apply to a natural gas fired emergency generator. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

**09-00084: Grandview Hospital** (700 Lawn Ave., Sellersville, PA 18960) located in West Rockhill Township,

**Bucks County.** This action is a renewal of the State Only Operating Permit. The permit was initially issued on 1/30/2004 and was subsequently renewed on 1/30/2009 and again on 5/14/2014. The permit is for the operation of four (4) dual fuel-fired (i.e., natural gas and ultra-low sulfur diesel fuel oil (ULSD)) boilers, two (2) 750-kW diesel-fired emergency generators, two (2) 600-kW diesel-fired emergency generators. The permit will include monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**46-00255: Schumacher & Benner Crematory** (359 King Street, Pottstown, PA 19464) for a non-Title V Facility, State-Only Natural Minor Operating Permit in Pottstown Borough, **Montgomery County**. This renewed operating permit reflects the continued operation of Source ID 101 (Human Crematory Unit). The potential to emit of the permitted source is: less than 1.0 TPY for NO<sub>x</sub>, SO<sub>x</sub>, and VOC; 1.53 TPY for PM; and 2.19 TPY for CO. Emissions of PM from the Crematory are expected to be less than 0.08 grain per dry standard cubic feet, corrected to 7 percent O<sub>2</sub>. Emissions of SO<sub>x</sub> from the Crematory are expected to be less than 500 ppmv. The permit will continue to contain monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**09-00120: BASF Corporation** (6450 Bristol Pike, Levittown, PA 19057) is a non-Title V, Natural Minor facility located in Bristol Township, **Bucks County**. The Natural Minor Operating Permit No. 09-00120 is being renewed for another five (5) year term. The facility makes various products for commercial coatings of buildings and treatment of concrete and cement surfaces. Emissions are mostly PM, resulting from handling of dry ingredients and dry product material, while some liquid ingredients and liquid products result in VOC. Both the PM and VOC emissions can have a small percent of HAP emissions, including manganese and acetaldehyde, making the facility subject to 40 CFR Part 63, Subpart VVVVVV. The operating permit will continue to contain monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality regulations and requirements.

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

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

**35-00028: Moses Taylor Hospital** (700 Quincy Avenue, Scranton, PA 18510-1724). The Department intends to issue a renewal (Natural Minor) permit to operate a General Medical and Surgical Hospital in Scranton, **Lackawanna County**. The primary sources consist of three (3) boilers. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), particulate matter (PM<sub>10</sub>), and volatile organic compounds (VOC) emissions. The operating 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.

**54-00059: Magdalene Crematory** (P.O. Box 215, Ringtown, PA 17967-0215). The Department intends to issue a renewal State-Only (Natural Minor) Permit for the human crematory facility located in Ringtown, PA, **Schuylkill County**. The primary sources consist of two

(2) crematory incinerators. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The operating 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.

**58-00002: Diaz Manufacturing Co., LLC** (747 Grow Avenue, Montrose, PA 18801). The Department intends to issue a renewal State-Only (Natural Minor) Permit for wood window and door manufacturing in Bridgewater Township, **Susquehanna County**. The sources consist of a wood fired boiler and wood working equipment with a dual multi-clone and baghouse as the control devices. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The operating 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.

**66-00006: Geary Enterprises Concrete** (316 Post Hill Road, Falls, PA 18515-7897). The Department intends to issue a renewal State-Only (Natural Minor) Permit for crushed and broken stone mining and quarrying operations in Falls Township, **Wyoming County**. The primary sources consist of crushers, screens, and conveyors. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP), and volatile organic compounds (VOC) emissions. The operating 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.

**39-00103: Bosch Rexroth Corporation** (2315 City Line Road, Bethlehem, PA 18017-2131). The Department intends to issue a renewal State-Only Synthetic Minor Permit for Bosch, located in the City of Bethlehem, **Lehigh County**. Operations performed at this facility include the manufacturing, machining, and servicing of metal parts. The source is considered a minor emission source of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**07-05025: Sunoco Partners Marketing Terminal LP/Altoona Terminal** (101 West Third Street, Williamsport, PA 17701) for a bulk petroleum fuel storage and loading terminal in Allegheny Township, **Blair County**. The facility 2017 actual air emissions were 1.31 ton of VOC, and 0.11 ton of total HAPs. This is for renewal of the existing State-only permit. The Operating Permit will include emission limits and work practice standards along

with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 40 CFR Part 63 Subpart JJJJJ-National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, and 40 CFR Part 63 Subpart BBBBBB-National Emissions Standards for Hazardous Air Pollutants for Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.

**67-03056: SKF USA, Inc.** (20 Industrial Drive, Hanover, PA 17331) for operation of the spherical roller bearing manufacturing facility in Hanover Borough, **York County**. The potential facility emissions are 15.03 tons of CO, 5.62 tons of NO<sub>x</sub>, 0.6 ton of PM<sub>10</sub>, 1.9 ton of SO<sub>x</sub>, 22.5 tons of VOC, and 0.09 ton of total HAPs. This is for renewal of the existing state-only permit. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include 40 CFR Part 63 Subpart ZZZZ-National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines Area Sources.

**36-05076: Penn Medicine—Lancaster General Hospital** (555 North Duke Street, Lancaster, PA 17604) to issue a State-Only Operating Permit for the operation of their medical and surgical hospital in the City of Lancaster, **Lancaster County**. The facility's actual emissions for 2018 were reported to be 14.67 tpy CO, 25.37 tpy NO<sub>x</sub>, 3.78 tpy PM<sub>10</sub> & PM<sub>2.5</sub>, 0.76 tpy SO<sub>x</sub>, & 7.45 tpy VOC. This is for renewal of the existing State-only permit. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines and 40 CFR 60, Subpart KKKK—Standards of Performance for Stationary Combustion Turbines.

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

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

**08-00050: Eureka Resources, LLC** (451 Pine Street, Williamsport, PA 17701) to issue an initial State Only Operating Permit for their Standing Stone Facility located in Standing Stone Township, **Bradford County**. The facility is currently operating under Plan Approval 08-00050B. The facility's main sources include wastewater treatment and salt extraction processes. The facility has potential emissions of 9.0 tons per year (TPY) of NO<sub>x</sub>, 4.5 TPY of CO, 14.0 TPY of SO<sub>x</sub>, 2.1 TPY of PM, 14.1 TPY of VOCs, 8.8 TPY of HAPs and 8,211 TPY of greenhouse gas (as carbon dioxide equivalent). The proposed operating permit incorporates the applicable terms and conditions of Plan Approval 08-00050B. The emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code

Chapters 121—145 and 40 CFR Part 63 Subpart ZZZZ. 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, PE, Facilities Permitting Chief—Telephone: 412-442-4336.*

**04-00483: Danzer Veneer Americas, Inc.** (119 Aid Drive, Darlington, PA 16115) Natural Minor Operating Permit is for a facility that processes wood veneer and is located in Darlington Township, **Beaver County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) has received an application and is providing notice that it intends to issue an Air Quality Operating Permit for the previously-mentioned facility. Sources of emissions consist of one 8.75 MMBtu/hr boiler controlled by a multicyclone system, woodworking operations controlled by a baghouse, and one parts washer. Facility-wide potential emissions are projected to be 0.51 TPY VOC, 14.6 TPY NO<sub>x</sub>, 17.8 TPY CO, 0.0 TPY HAP, 0.0 TPY single HAP, 2.47 TPY PM<sub>10</sub>, 1.46 TPY PM<sub>2.5</sub>, 0.743 TPY SO<sub>x</sub>, and 5,798 TPY CO<sub>2e</sub>. Actual annual emissions at the facility are projected to be 0.19 TPY VOC, 5.4 TPY NO<sub>x</sub>, 6.6 TPY CO, 0.0 TPY HAP, 0.0 TPY single HAP, 0.91 TPY PM<sub>10</sub>, 0.54 TPY PM<sub>2.5</sub>, 0.27 TPY SO<sub>x</sub>, and 2,129 TPY CO<sub>2e</sub>. At a minimum, the facility is required to conduct daily surveys of the site to ensure compliance with visible, fugitive, and malodor emission requirements and maintain records of those surveys. The air quality permit includes material throughput limits, operation requirements, monitoring requirements, and recordkeeping requirements for the site.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the State-Only Operating Permit may submit the information to Bradley Spayd, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (04-00483) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information 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 by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Bradley Spayd, Air Quality Engineering Specialist, at the previously listed address. For additional information concerning the permit or the issuance procedure, contact Bradley Spayd at the previously listed address or phone at (412) 442-5227.

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

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

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

**10-00171: Butler Color Press** (119 Bonnie Dr., Butler, PA 16002), the Department intends to issue the renewal of the State-Only Operating Permit of a commercial printing facility located in Summit Township, **Butler County**. Permitted sources at the facility are two lithographic printing presses, clean-up solvent usage, four parts washers, and space heaters. To be Synthetic Minor, the facility is subject to elective restrictions of 49 TPY VOC, 9.5 TPY any single HAP, and 24.5 TPY total HAPs on a 12-month rolling basis. In this renewal, 25 Pa. Code § 129.67b is incorporated and applies to the lithographic printing presses, clean-up solvent usage, and parts washers. Previously an insignificant activity, the parts washers are reclassified as a permitted source because its cleaning operations are subject to § 129.67b. Other permit changes include the update of source test submittals based on Source Testing Section's latest instructions and the removal of sources no longer operated. A compliance schedule is also added to bring the facility into compliance with the stack test requirements for its lithographic printing presses.

**16-00148: RV Burns Crematorium** (638 Wood Street, Clarion, PA 16214-1341), the Department intends to issue the Natural Minor Operating Permit to operate a human cremator in Clarion Borough, **Clarion County**. The facility's primary emission source is a cremator installed in October 2006. 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 1.5 MMBtu/hr. Particulate matter from the exhaust is restricted to 0.06 grain per dry standard cubic foot, corrected to 7% oxygen. The potential CO, particulate, NO<sub>x</sub>, VOC, and SO<sub>x</sub> emissions are: 3.3 TPY, 2.3 TPY, 1.0 TPY, 1.0 TPY, and 0.8 TPY, respectively.

**25-00648: NEPA Energy LP** (10915 Ackerman Rd, North East, PA 16428). The Department is providing notice that they intend to renew a State Only Natural Minor Operating Permit for operation of the facility located in North East Township, **Erie County**. The facility produces steam for the nearby Welch's facility, located at 139 South Lake St, North East, PA 16428. The facility's primary emission sources include the two 99 MMBtu/hr boilers and a parts cleaner. The potential emissions of the primary pollutants from the facility are as follows: 61.95 TPY (tons per year) NO<sub>x</sub>, 65.12 TPY CO, 5.14 TPY VOC, 1.65 TPY total HAPs, 1.66 TPY filterable PM<sub>10</sub> and PM<sub>2.5</sub>, and 0.52 TPY SO<sub>x</sub>; thus, the facility is a natural minor. The boilers are subject to 40 CFR 60 Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The 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.

**43-00251: Component InterTechnologies, Inc.**, (2426 Perry Highway, Hadley, PA 16130), The Department intends to renew a State Only Operating Permit for the facility located in Perry Township, **Mercer County**. The facility is a Natural Minor. The primary sources at the facility include several natural gas fueled space heaters used for building heat, a natural gas fueled emergency generator, 3 cold cleaning parts washers, and a vapor degreaser which uses N-Propyl Bromide as a solvent. The potential emissions from the facility for all

criteria pollutants are less than the Title V thresholds. The emergency generator is subject to 40 CFR Part 63 Subpart ZZZZ, the NESHAP for RICE. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

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

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

### *Coal Applications Received*

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

**30080703 and NPDES No. PA0235831. Contura Freeport, LLC**, (158 Portal Road, P.O. Box 1020,

Waynesburg, PA 15370). To renew the permit for the Freeport Coal Refuse Disposal Area No. 1 in Jefferson Township, **Greene County** and related NPDES permit. No additional discharges. The application was considered administratively complete on March 19, 2019. Application received: August 3, 2018.

**63131302 and NPDES No. PA0001147. Consol Mining Company LLC**, (1000 Consol Energy Drive, Suite 100, Canonsburg, PA 15317). To renew the permit for the Montour # 4 Mine-Hahn Treatment Facility in Cecil Township, **Washington County** and related NPDES permit. No additional discharges. The application was considered administratively complete on March 20, 2019. Application received: October 26, 2018.

**63981301 and NPDES No. PA0215171. The Ohio County Coal Company**, (46226 National Road, St. Clairsville, OH 43950). To renew the permit for the Ohio County Mine in West Finley Township, **Washington County** and related NPDES permit. No additional discharges. The application was considered administratively complete on March 20, 2019. Application received: November 9, 2018.

**56981301 and NPDES No. PA0215121. Quecreek Mining, Inc.**, (1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541). To renew the permit for the Quecreek No. 1 Mine in Lincoln and Somerset Townships, **Somerset County** and related NPDES permit. No additional discharges. The application was considered administratively complete on March 20, 2019. Application received: September 28, 2018.

**56071301 and NPDES No. PA0235814. RoxCoal, Inc.**, (1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541). To renew the permit for the Horning Deep Mine in Stonycreek Township, **Somerset County** and related NPDES permit. No additional discharges. The application was considered administratively complete on March 21, 2019. Application received: November 9, 2018.

**56961301 and NPDES No. PA0214736. RoxCoal, Inc.**, (1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541). To revise the permit for the Sarah Mine in Jenner Township and Jennerstown Borough, **Somerset County** and related NPDES permit for a land use change from pastureland to wildlife habitat and residential/commercial, cropland to pastureland and forestland to pastureland. No additional discharges. The application was considered administratively complete on March 21, 2019. Application received: February 7, 2019.

**56021301 and NPDES No. PA0235547. Elk Lick Energy, Inc.**, (1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541). To renew the permit for the Roytown Mine in Lincoln Township, **Somerset County** and related NPDES permit. No additional discharges. The application was considered administratively complete on March 22, 2019. Application received: September 28, 2018.

**32901602 and NPDES No. PA1213993. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the I-22 Tipple in Burrell Township, **Indiana County** and related NPDES permit. No additional discharges. The application was considered administratively complete on March 22, 2019. Application received: December 10, 2018.

**03871303 and NPDES No. PA0213667. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Darmac No. 2 Deep Mine in Plumcreek Township, **Armstrong County** and Washington Township, **Indiana County** and related NPDES permit to add acres to the underground permit and subsidence control plan area to the Darmac No. 2 Deep Mine from the adjacent Dutch Run underground permit and subsidence control plan area. Underground Acres Proposed 276.0, Subsidence Control Plan Acres Proposed 276.0. No additional discharges. The application was considered administratively complete on March 22, 2019. Application received: December 24, 2018.

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

**Permit No. 56940101. Rosebud Mining Co.**, 301 Market Street, Kittanning, PA 16201, permit renewal for reclamation only of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 205.9 acres. Receiving streams: unnamed tributaries to/and Buffalo Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: March 18, 2019.

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

**17714022 and NPDES PA0611034. A. W. Long** (127 Logan Street, Philipsburg, PA 16866). Permit renewal for continued operation and restoration of a bituminous surface coal mine located in Morris Township, **Clearfield County** affecting 149.6 acres. Receiving stream(s): Hawk Run to Moshannon Creek and Moshannon Creek classified for the following use(s): TSF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: March 13, 2019.

**17030113 and NPDES PA0243591. Rob Holland Enterprises** (52 Holland Lane, Curwensville, PA 16833). Permit renewal for continued operation and restoration of a bituminous surface coal mine located in Lawrence Township, **Clearfield County** affecting 47.9 acres. Receiving stream(s): Unnamed Tributary to Montgomery Run classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: March 18, 2019.

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

**30080201 and NPDES Permit No. PA0251470. Shannopin Materials, LLC**, (966 Crafts Run Road, Madsville, WV 26541). Renewal application for continued mining to an existing bituminous surface mine, located in Monongahela Township, **Greene County**, affecting 19.6 acres. Receiving streams: unnamed tributaries to Monongahela River, classified for the following use: WWF. Dunkard Valley Joint Municipal Water Authority and South Western PA Water Authority are potable water supply intakes within 10 miles downstream from the point of discharge. Renewal application received: March 18, 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.

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

**Permit No. 58190804 and NPDES Permit No. PA0226009. Stanley L. Colwell**, (1030 Wagner Road, New Milford, PA 18834), commencement, operation and restoration of a bluestone quarry operation and NPDES permit for discharge of treated mine drainage in New Milford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: Beaver Creek and Salt Lick Creek, classified for the following uses: high-quality cold water fishes and migratory fishes. Application received: March 13, 2019.

*Noncoal Applications Withdrawn*

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

**Permit No. 64172501 and NPDES Permit No. PA0225797. Rock Lake, Inc.**, (3230 Creamton Drive, Lake Como, PA 18437), commencement, operation and restoration of a bluestone quarry operation and NPDES permit for discharge of treated mine drainage in Lebanon Township, **Wayne County** affecting 5.0 acres, receiving stream: unnamed tributary to West Branch Dyberry Creek, classified for the following uses: HQ—cold water and migratory fishes. Application received: November 15, 2017. Application withdrawn: March 22, 2019.

### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

#### *Effluent Limits for Coal Mining Activities*

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

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

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

\*The parameter is applicable at all times.

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

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

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

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

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

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

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

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

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

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

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

#### *Coal NPDES Draft Permits*

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

**NPDES No. PA0215490 (Mining Permit No. 17743702), Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). A revision to the NPDES and mining activity permit for the Lady Jane Plant in Huston Township, **Clearfield County**. Surface Acres Affected 107.3. Outfall 002 discharges surface runoff and leachate. DEP is issuing a department-initiated amendment. The permit is being amended to remove the selenium monitoring from Outfall 002 based on DMR data because there is no reasonable potential for the discharge of selenium to cause an excursion above the water quality criterion. Monitoring for selenium is also being removed from Outfall 005 because Outfall 005 has not been constructed and Outfall 002 is representative of Outfall 005. The facility discharges to a TMDL impacted stream therefore the EPA Waiver is not in effect. Receiving stream: Moose Run, classified for the following use: CWF. Bennett Branch, Sinnemahoning Creek Watershed TMDL. The application was considered administratively complete on January 17, 2018. Application received: January 17, 2018.

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

#### *Outfall 002 discharges to: Moose Run.*

The proposed effluent limits for *Outfall 002* (Lat: 41° 11' 56.2" Long: -78° 33' 4.1") are:

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Instant. Maximum</i>	<i>Daily Maximum</i>
Flow	(mgd)	-	-	-	Report
pH	(S.U.)	6.0	-	9.0 Max	-
Iron	(mg/l)	-	1.5	3.0	3.8
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	-
Total Suspended Solids	(mg/l)	-	35.0	70.0	90.0
Sulfate	(mg/l)	-	-	-	Report
Osmotic Pressure	(mos/kg)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Alkalinity, total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Acidity, total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	Report
Alkalinity Net, total (as CaCO <sub>3</sub> )	(mg/l)	0.0	-	-	-

*Outfall 005* discharges to: Unnamed Tributary to Moose Run.

The proposed effluent limits for *Outfall 005* (Lat: 41° 12' 18.7" Long: -78° 33' 37") are:

Parameter	Mass Units (lb/day)	Mass Units (lb/day)		Mass Units (lb/day)		Instant. Maximum
		Average Monthly	Maximum Daily	Minimum	30-Day Average	
Flow	(mgd)	-	-	-	-	Report
pH	(S.U.)	-	-	6.0	-	-
Iron	(mg/l)	-	-	-	1.5	3.8
Manganese	(mg/l)	-	-	-	1.0	2.5
Aluminum	(mg/l)	-	-	-	0.75	0.75
Total Suspended Solids	(mg/l)	-	-	-	35.0	90.0
Sulfate	(mg/l)	-	-	-	-	Report
Osmotic Pressure	(mos/kg)	-	-	-	73.87	147.74
Chloride	(mg/l)	-	-	-	-	Report
Bromide	(mg/l)	-	-	-	-	Report
Total Dissolved Solids	(mg/l)	5,000 Annual Average	-	-	-	Report
Alkalinity, total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	-	Report
Acidity, total (as CaCO <sub>3</sub> )	(mg/l)	-	-	-	-	Report
Alkalinity Net, total (as CaCO <sub>3</sub> )	(mg/l)	-	-	0.0	-	-

EPA waiver not in effect.

**NPDES No. PA0213721 (Mining Permit No. 56841608), PBS Coals, Inc.**, (1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541). A revision to the NPDES and mining activity permit for the Cambria Fuel Preparation Plant in Stonycreek Township, **Somerset County**. This is a DEP initiated amendment being issued to remove silver and copper monitoring from Outfall 001, because the permittee has demonstrated that it is not present in the discharge or receiving stream. Surface Acres Affected 56. Receiving stream: Schrock Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watershed TMDL. The application was considered administratively complete on June 14, 2018. Application received: June 14, 2018.

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

*Outfall 001* discharges to: Schrock Run.

The proposed effluent limits for *Outfall 001* (Lat: 39° 59' 54" Long: 78° 57' 14") are:

Parameter		Minimum	30-Day Average	Daily Maximum	Instant. Maximum
Flow	(mgd)	-	-	-	Report
Iron	(mg/l)	-	1.5	3.0	3.8
Suspended Solids <sup>1</sup>	(mg/l)	-	35	70	90
Manganese	(mg/l)	-	1.0	2.0	2.5
Aluminum	(mg/l)	-	0.75	0.75	0.75
Sulfate	(mg/l)	-	-	-	Report
Total Dissolved Solids	(mg/l)	-	-	-	Report
Chloride	(mg/l)	-	-	-	Report
pH	(mg/l)	6.0	-	-	9.0
Alkalinity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Acidity, Total as CaCO <sub>3</sub>	(mg/l)	-	-	-	Report
Alkalinity, Net	(mg/l)	0	-	-	-
Osmotic Pressure	(mOs/kg)	-	50	100	-

EPA waiver not in effect.

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

**NPDES No. PA0269174 (Mining Permit No. 56120116), LCT Energy, LP**, 938 Mount Airy Drive, Suite 200, Johnstown, PA 15904, renewal of an NPDES permit for a bituminous surface mine in Stonycreek Township and Indian Lake Borough, **Somerset County**, affecting 82.5 acres. Receiving stream: unnamed tributary to Boone Run, classified for the following use: cold water fishes. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: January 18, 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 treated wastewater outfalls discharge to unnamed tributary to Boone Run:

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

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

<i>Outfalls: 001 and 002</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	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)			Report
Sulfate			Report
Temperature (°C)			Report
Flow (mgd)			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 outfalls discharge to unnamed tributary to Boone Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003	N
004	N
005	N
006	N
007	N

<i>Outfalls: 003, 004, 005, 006, 007</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	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	0.75	0.75
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Sulfate			Report
Temperature (°C)			Report
Flow (mgd)			Report

Specific Conductance (µmohs/cm)

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

Alkalinity must exceed acidity at all times.

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

**NPDES No. PA0119334 (Mining Permit No. 17793044), River Hill Coal Company, Inc.,** P.O. Box 141, Kylertown, PA 16847 renewal of an NPDES permit for bituminous surface coal mining in Karthaus Township, **Clearfield County**, affecting 28.9 acres. Receiving stream(s): Saltlick Run classified for the following use(s): HQ-CWF, MF. Application received: November 21, 2018.

The following outfall discharges to Saltlick Run:

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i> <i>Average</i>	<i>Daily</i> <i>Maximum</i>	<i>Instant.</i> <i>Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	9.0
Total Suspended Solids (mg/l)		35.0	70.0	90.0

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

### FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33

U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person

commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E19-325. Levi Beiler**, 428 A Washingtonville Road, Bloomsburg, PA 17815. Beiler Bridge Crossing, in Madison Township, **Columbia County**, ACOE Baltimore District (Millville, PA Quadrangle; Latitude: 41° 4' 21.5"; Latitude 76° 36' 44.7").

The applicant is proposing to construct a 16 feet wide by 40 feet long bridge structure on concrete abutments to facilitate livestock and equipment across Mud Creek, which is designated as a Warm Water Fishery. Approaches are intended to be installed during construction and will disturb an area 16 feet wide by 100 feet long on both left and right sides of the stream channel. The approaches are proposed to be stabilized with stone. This project is located 2.25 miles west on SR 0254 from the intersection of SR 0044 and SR 0254 in Jerseytown.

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

**E32052-525, Urban Outfitters, Inc.**, 500 South Broad Street, Philadelphia, PA 19112, White Township, **Indiana County**; Pittsburgh ACOE District.

The applicant is proposing to:

1. Construct, and maintain three (3) 36" HDPE storm water pipe crossings under an unnamed tributary (UNT) to Cherry Run (CWF),
2. Construct, and maintain one (1) 6" PVC sanitary pipe crossing under a UNT to Cherry Run (CWF),
3. Fill in 933 LF of a UNT to Cherry Run (CWF),
4. Fill in 0.58 acre of PFO wetland,
5. Mitigation includes the construction of 1.50 acre of PSS and PFO wetland within the Windy Ridge Business and Technology Park.

For the purpose of constructing a 958,000 square foot warehouse with associated parking lots, utilities, access

drives and stormwater facilities. The project will cumulatively result in approximately 930 LF of permanent impact and 330 LF of temporary impact to a UNT to Cherry Run (CWF), and approximately 0.6 acre of permanent impact to PSS and PFO wetlands. The project site is located approximately 1,350 feet southeast of the intersection of Oakland Avenue (PA 286) and Fenton Road (Indiana, PA USGS topographic quadrangle; N: 40°, 35', 31"; W: -79°, 11', 4"; Sub-basin 18D; USACE Pittsburgh District), in White Township, Indiana County.

**E65052-996, North Huntingdon Township**, 11279 Center Highway, North Huntingdon Township, **Westmoreland County**; Pittsburgh ACOE District.

The applicant is proposing to:

Construct and maintain a 300 foot long enclosure of UNT to Brush Creek (TSF), utilizing a 48" HDPE pipe, for the purpose of creating a fill site for North Huntingdon Public Works. The project will permanently impact 300 LF of UNT to Brush Creek. Mitigation will include the installation of end walls and an R-6 rip-rap apron to minimize downstream erosion.

The project site is located at 12319 Route 30, North Huntingdon, PA 15642 (Irwin, PA USGS topographic quadrangle; N: 40° 20' 20"; W: -79° 44' 17"; Sub-basin 19A; USACE Pittsburgh District), in North Huntingdon Township, Westmoreland County.

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

**E4129-125. ARD Operating LLC**, 33 West Third Street, Suite 300, Williamsport, PA 17701. Duncan to Wallis Run (Temporary Above Ground Waterline) in Cascade Township, **Lycoming County**, ACOE Baltimore District (Barbours & Bodines, PA Quadrangles N: 41° 28' 6" W: -76° 51' 54").

ARD has applied for an Individual—Joint Permit to construct, operate and maintain temporary above ground water (TAGWL). The temporary waterline will be located within existing natural gas pipeline ROW, existing access road ROW, along existing State forest land road and on private camp roads. The purpose of this project is to provide a temporary means of water conveyance between the Duncan Pad and the Wallis Run Impoundment for use during drilling activities. A temporary 12-inch line will be placed on existing ground surface except where it crosses roadways/driveways where either a boring or an open trench crossing will be required. Approximately 38,360 LF (7.3 miles) of TAGWL is proposed.

A total of six (6) temporary stream impacts are proposed to Salt Run, UNT 34 Salt Run, UNT 35 Salt Run, EB Wallis Run, UNT 2 WB Wallis Run and UNT 5 WB Wallis Run. Project watercourse impacts shall include and be limited to a total of X LF (X SF) of temporary stream impacts. No permanent stream impacts are proposed.

A total of six (6) temporary floodway impacts are proposed to Salt Run, UNT 34 Salt Run, UNT 35 Salt Run, EB Wallis Run, UNT 2 WB Wallis Run and UNT 5 WB Wallis Run. Project watercourse impacts shall include and be limited to a total of 6,782 SF (0.156 ac) of temporary floodway impacts. No permanent floodway impacts are proposed.

A total of twenty-five (25) temporary wetland impacts are proposed. Project wetland impacts shall include and be limited to a total of 31,492 SF (0.723 acre) of temporary wetland impacts. No permanent wetlands impacts are proposed.

## STREAM IMPACT TABLE:

<i>Resource Name</i>	<i>Municipality</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>
Salt Run	Cascade	TAGWL Over 36" Culvert	HQ-CWF, EV	Wild	30	10			41.469050 76.879049
UNT 34 Salt Run	Cascade	TAGWL Temp. Bridge	HQ-CWF, EV	Wild	176	10			41.460475 76.892494
UNT 35 Salt Run	Cascade	TAGWL Over 36" Culvert	HQ-CWF, EV	Wild	161	10			41.458705 76.895236
East Branch Wallis Run	Cascade	TAGWL Temp. Bridge	HQ-CWF, EV	Wild	186	10			41.445048 76.857569
UNT 2 WB Wallis Run	Cascade	TAGWL Temp. Bridge	HQ-CWF, EV	Wild	139	10			41.455655 76.865927
TOTAL					801	60			

## WETLAND IMPACT TABLE:

<i>Resource Name</i>	<i>Municipality</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>
Wetland 3	Cascade	TAGWL Timber Matting	PEM; EV	Wild	922	93			41.455 77.865
Wetland 6	Cascade	TAGWL Timber Matting	PEM; EV	Wild	167	17			41.455812 76.865944
Wetland 7	Cascade	TAGWL Timber Matting	PEM; EV	Wild	98	49			41.470521 76.870153
Wetland 14	Cascade	TAGWL Timber Matting	PEM; EV	Wild	1,048	210			41.469174 76.875306
Wetland 19	Cascade	TAGWL Timber Matting	PEM; EV	Wild	485	97			41.469123 76.879178
Wetland 26	Cascade	TAGWL Timber Matting	PEM; EV	Wild	224	65			41.468674 76.858847
Wetland 30	Cascade	TAGWL Timber Matting	PEM; EV	Wild	8,320	1,109			41.465807 76.863149
Wetland 35	Cascade	TAGWL Timber Matting	PEM; EV	Wild	63	5			41.463200 76.886173
Wetland 36	Cascade	TAGWL Timber Matting	PEM; EV	Wild	927	46			41.463283 76.887087
Wetland 37	Cascade	TAGWL Timber Matting	PEM; EV	Wild	635	54			41.463257 76.888262
Wetland 38	Cascade	TAGWL Timber Matting	PEM; EV	Wild	2,795	280			41.461451 76.892364
Wetland 40	Cascade	TAGWL Timber Matting	PFO; EV	Wild	1,010	101			41.458661 76.896048
Wetland 41	Cascade	TAGWL Timber Matting	PEM; EV	Wild	927	93			41.458296 76.897048
Wetland 43	Cascade	TAGWL Timber Matting	PEM; EV	Wild	3,626	363			41.456974 76.901499
Wetland 50	Cascade	TAGWL Timber Matting	PEM; EV	Wild	802	5			41.461893 76.866061
Wetland 51	Cascade	TAGWL Timber Matting	PEM; EV	Wild	2,374	238			41.459441 76.865381
Wetland 52	Cascade	TAGWL Timber Matting	PEM; EV	Wild	86	43			41.458837 76.865239
Wetland 54	Cascade	TAGWL Timber Matting	PEM; EV	Wild	12	22			41.457593 76.866298

<i>Resource Name</i>	<i>Municipality</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>
Wetland 55	Cascade	TAGWL Timber Matting	PFO; EV	Wild	2,390	239			41.456745 76.866446
Wetland 56	Cascade	TAGWL Timber Matting	PEM; EV	Wild	3,165	317			41.450304 76.866923
Wetland 57	Cascade	TAGWL Timber Matting	PEM; EV	Wild	222	23			41.448926 76.866037
Wetland 58	Cascade	TAGWL Timber Matting	PEM; EV	Wild	107	11			41.448343 76.865606
Wetland 59	Cascade	TAGWL Timber Matting	PEM; EV	Wild	86	9			41.444809 76.859887
Wetland 62	Cascade	TAGWL Timber Matting	PEM; EV	Wild	461	46			41.444955 76.857247
Wetland 64	Cascade	TAGWL Timber Matting	PEM; EV	Wild	540	54			41.446994 76.844767
TOTAL					31,492	3,589			

**FLOODWAY IMPACT TABLE:**

<i>Resource Name</i>	<i>Municipality</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>
Salt Run	Cascade	TAGWL Over 36" Culvert	Wild	843				41.469050 76.879049
UNT 34 Salt Run	Cascade	TAGWL Temp. Bridge	Wild	2,758				41.460475 76.892494
UNT 35 Salt Run	ascade	TAGWL Over 36" Culvert	Wild	794				41.458705 76.895236
East Branch Wallis Run	Cascade	TAGWL Temp. Bridge	Wild	786				41.445048 76.857569
UNT 2 WB Wallis Run	Cascade	TAGWL Temp. Bridge	Wild	980				41.455655 76.865927
UNT 5 WB Wallis Run	Cascade	TAGWL Temp. Bridge	Wild	621				41.449728 76.866625
TOTAL				6,782				

**E4129-123: Seneca Resources Corporation, LLC**, 51 Zents Boulevard, Brookville, PA 15825, Lewis Township, Lycoming County, ACOE Baltimore District.

To construct, operate and maintain the Hagerman Run Retaining Wall Project. This project was completed under Emergency Permit EP4129-18-003, and consisted of installation and repairs of an existing retaining wall. The project resulted in 190.0 linear feet of permanent stream impacts to Hagerman Run (HQ-CWF), 290.0 linear feet of temporary stream impacts to Hagerman Run (HQ-CWF), 142 square feet of permanent floodway impacts, and 2,791 square feet of temporary floodway impacts (Trout Run, PA Quadrangle, Latitude: N 41° 25' 06.54", Longitude: W 77° 02' 48.12") all for the purpose of repairing a retaining wall for Marcellus Shale development.

**WATER QUALITY CERTIFICATIONS REQUESTS**

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

**WQ6206219-001, USDA-NRCS**, 359 East Park Drive, Suite 2, Harrisburg, PA 17111-2747. Sekerak Wetland Reserve Easement, in Columbus Twp, **Warren County**, ACOE Pittsburgh District (Pittsburgh, PA Quadrangle N: 41° 55' 11"; W: -79° 36' 31").

One ditch plug will be built within a manmade ditch which was constructed to drain hydrology from the site to Hare Creek. The ditch plug will disrupt hydrology flow off the easement. Hydrology will be restored on-site and will restore the native hydrophytic vegetation and plant community to the site. Reed canary grass currently dominates the site and the restoration will diminish its persistence on site. A shallow pothole will be constructed during the restoration of the site to promote habitat diversity and create a microhabitat for local wildlife to utilize.

## 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.**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PAS802209 (Stormwater)	Werner Transportation 5422 Oakview Drive Allentown, PA 18104	Lehigh County Upper Macungie Township	Unnamed Tributary to Cedar Creek (02C)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0087173 SEW	Highpoint Baptist Chapel P.O. Box 188 Geigertown, PA 19523-0188	Robeson Twp. Berks County	Hay Creek Watershed(s) 3-C	Y
PA0247596 IW	Ephrata Well No 4 WTP 124 South State Street Ephrata, PA 17522-2611	Ephrata Twp. Lancaster County	Cocalico Creek Watershed(s) 7-J	Y
PA0082333 SEW	Conestoga Hills Community LLC P.O. Box 375 Gap, PA 17527	Conestoga Twp. Lancaster County	UNT to Stehman Run Watershed(s) 7-J	Y



<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0041505 SEW	Hereford Estates MHP 3613 Seisholtzville Rd. Hereford, PA 18056-1542	Hereford Twp. Berks County	Perkiomen Creek Watershed(s) 3-E	N
PA0086525 SEW	Kingsgate Subdivision WWTP 449 Bucks Hill Rd. Mohrsville, PA 19541-9340	Centre Twp. Berks County	UNT to Irish Creek Watershed(s) 3-B	Y
PA0084751 SEW	Doubling Gap Center STP 1550 Doubling Gap Rd. Newville, PA 17241-9757	Lower Mifflin Twp. Cumberland County	Doubling Gap Creek Watershed(s) 7-B	Y
PA0052400 SEW	Irish Creek Village 552 Irish Creek Road Mohrsville, PA 19541-9333	Centre Twp. Berks County	Irish Creek Watershed(s) 3-B	N
PA0020648 SEW	Port Royal STP 804 W 8th Street Port Royal, PA 17082-9400	Port Royal Boro. Juniata County	Juniata River Watershed(s) 12-A	Y
PA0084484 SEW	Salisbury Township Rosehill STP 5581 Old Philadelphia Pike Gap, PA 17527-9791	Salisbury Township Lancaster County	Pequea Creek in Watershed(s) 7-K	Y
PA0247898 SEW	Commerce Commons 103 Fite Way Suite D Quarryville, PA 17566-0673	East Drumore Twp. Lancaster County	South Fork Big Beaver Creek Watershed(s) 7-K	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0228508 (Sewage)	Huston Township Julian WWTP P.O. Box 40 Julian, PA 16844-0040	Centre County Huston Township	Bald Eagle Creek (9-C)	Yes
PA0114308 (Sewage)	Sandburr Creekside Development Sanitary Sewer STP 2028 State Route 487 Orangeville, PA 17859-9029	Columbia County Orange Township	Fishing Creek (5-C)	Yes
PAS204803 (Storm Water)	SMC Powder Metallurgy Division 1251 Route 6 W Galeton, PA 16922-9125	Potter County Pike Township	Pine Creek (9-A)	Yes
PA0009385 (Industrial)	ConAgra Milton Plant 30 Marr Street Milton, PA 17847-1519	Northumberland County Milton Borough	West Branch Susquehanna River (10-D)	Yes
PA0111635 (Industrial)	Spring Township Municipal Authority Water System P.O. Box 133 Beaver Springs, PA 17812-0133	Snyder County Beaver Township	Kern Run (6-A)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0205664 (Sewage)	Forest Brook MHP 320 Sunset Drive Baden, PA 15005-2441	Beaver County New Sewickley Township	Pine Run (20-G)	Yes
PA0203661 (Industrial)	Reaxis Inc. P.O. Box 279 941 Robinson Highway McDonald, PA 15057-0279	Washington County Robinson Township	Unnamed Tributary to Robinson Run and Unnamed Tributary of Robinson Run (20-F)	Yes

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0222429 (Sewage)	Pilot Travel Center 081 5508 Lonas Drive Knoxville, TN 37909-3221	Butler County Muddycreek Township	Muddy Creek (WWF) (20-C)	Yes
PA0014427 (Industrial)	Allegheny National Fish Hatchery 6616 Hemlock Road Warren, PA 16365-8055	Warren County Glade Township	Allegheny River (WWF) (16-B)	Yes
PA0272574 (Sewage)	Ashley & Jason Steighner SRSTP 121 Caldwell Drive Butler, PA 16002	Butler County Jefferson Township	Thorn Creek (CWF) (20-C)	Yes

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

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

**NPDES Permit No. PA0232343**, Industrial, SIC Code 4953, **PA Waste LLC**, 175 Bustleton Pike, Feasterville, PA 19053-6456.

This proposed facility is located in Boggs Township, **Clearfield County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated industrial waste and stormwater.

**NPDES Permit No. PA0044661**, Sewage, SIC Code 4952, **Lewisburg Area Joint Sewer Authority Union County**, P.O. Box 305, Lewisburg, PA 17837-0305.

This existing facility is located in East Buffalo Township, **Union County**.

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

**NPDES Permit No. PA0232653**, Industrial, SIC Code 4953, **PA Waste LLC**, 175 Bustleton Pike, Feasterville, PA 19053.

This proposed facility is located in Boggs Township, **Clearfield County**.

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

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

**NPDES Permit No. PA0271861**, Sewage, SIC Code 8800, **Robert Mallery**, 945 Margaretta Avenue, Pittsburgh, PA 15234.

This proposed facility is located in Freehold Township, **Warren County**.

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

**NPDES Permit No. PA0271853**, Sewage, SIC Code 4952, 8800, **Tyler Laird**, 2490 Route 957, Russell, PA 16345-2606.

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

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

**WQM Permit No. 1618412**, Sewage, **Edward W Dunkerley Jr.**, 7621 Stewart Sharon Road, Masury, OH 16214.

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

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

**NPDES Permit No. PA0271829**, Sewage, SIC Code 4952, 7033, **Shelby & William Knight**, 321 Peaceful Valley Road, West Sunbury, PA 16061.

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

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

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

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

**WQM Permit No. 4807405A-1**, Sewage, SIC Code 6515, **Hickory Hills Mobile Home Community**, 121 Hickory Hills Drive, Bath, PA 18014.

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

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

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

**WQM Permit No. 6218410**, Sewage, **Robert Mallery**, 945 Margareta Avenue, Pittsburgh, PA 15234.

This proposed facility is located in Freehold Township, **Warren County**.

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

**WQM Permit No. 1618412**, Sewage, **Edward W Dunkerley Jr.**, 7621 Stewart Sharon Road, Masury, OH 16214.

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

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

**WQM Permit No. 6218409**, Sewage, **Tyler Laird**, 2490 Route 957, Russell, PA 16345-2606.

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

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

**WQM Permit No. 1018409**, Sewage, **Shelby & William Knight**, 321 Peaceful Valley Road, West Sunbury, PA 16061.

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

Description of Proposed Action/Activity: Small flow treatment facility for Peaceful Valley Campground.

**QM Permit No. 4300404 A-2**, Sewage, **Jamestown Borough Municipal Authority Mercer County**, P.O. Box 188, Jamestown, PA 16134-0188.

This existing facility is located in Jamestown Borough, **Mercer County**.

Description of Proposed Action/Activity: Improvements to Jamestown wastewater treatment plant and replacement of Liberty Street pump station.

**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.*

<i>NPDES Permit No.</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI130007	Richland Township 1328 California Road Suite A Quakertown, PA 18951-4517	Richland Township Bucks County	Tohickon Creek, Unnamed Tributary to Unami Creek, Beaver Run, and Morgan Creek/ HQ-TSF, TSF, and MF	N	Y
PAI130540	Trumbauersville Borough 1 Evergreen Drive Drawer 100 Trumbauersville, PA 18970	Trumbauersville Borough Bucks County	Unnamed Tributary to Unami Creek/HQ-TSF and MF	N	Y

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

<i>NPDES Permit No.</i>	<i>Permittee Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>	<i>TMDL Plan Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAI132261	Fairview Township 65 Shady Tree Drive Mountain Top, PA 18707	Fairview Township Luzerne	Solomon Creek (HQ-CWF/MF) Big Wapwallopen Creek, Bow Creek, and Tributary 28250 to Bow Creek (CWF/MF)	N	Y

**V. NPDES Waiver Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) Actions.**

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

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

<i>NPDES Waiver No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Receiving Water(s)/Use(s)</i>
PAG136287	City of Clairton 551 Ravensburg Boulevard Clairton, PA 15025-1243	Clairton City Allegheny	Unnamed Tributary to Monongahela River, Monongahela River and Peters Creek/WWF & TSF

**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 Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150115	Michael Taylor 811 Lisadell Drive Kennett Square, PA 19348	Chester	West Bradford Township	Broad Run EV-MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD390106	Sustainable Energy Fund 4110 Independence Drive Schnecksville, PA 18078	Lehigh	North Whitehall Township	Coplay Creek— CWF, MF
PAD390112	Howard Land Company— Saratoga Chase, LLC 203 Emmaus Ave. Allentown, PA 18101	Lehigh	Weisenberg Township	Schaefer Run— HQ-CWF, MF, EV Wetlands

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD480072	Ron Del Development Company c/o Mr. Ron DelSerro 3242 Farmersville Road Bethlehem, PA 18020	Northampton	Lower Nazareth Township	UNT to Monocacy Creek (HQ-CWF, MF)
PAD480075	Wind Gap Investors, LLC c/o Mr. Robert Nasuti 14 Balligomingo Road Conshohocken, PA 19428-0992	Northampton	Plainfield Township	Little Bushkill Creek (HQ-CWF, MF)
PAD480071	Divinity Group, LLC c/o Mr. Prasad Chalikonda 152 Wedgewood Road Bethlehem, PA 18018-3777	Northampton	Hanover Township	UNT to Monocacy Creek (HQ-CWF, MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD140036	Grace Hills Church, Inc. P.O. Box 186 Port Matilda, PA 16870	Centre	Patton Twp	UNT Buffalo Run HQ-CWF

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

*Individual Permit Type—PAD*

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

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

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

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

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

*General Permit Type—PAG-02*

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Doylestown Township Bucks County	PAC090253	Zaveta Custom Homes, LLC 4030 Skyron Drive Suite G Doylestown, PA 18902	Neshaminy Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Buckingham Township Bucks County	PAC090255	Kim Daria Corsini 4344 Township Line Road Wycombe, PA 18980	Unnamed Tributary to Mill Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Bucks County	PAC090249	Michael D. D'Arcangelo 1149 Winchester Lane Newtown, PA 18940-3302	Newtown Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Franconia Township Montgomery County	PAC460301	B&H Investments, LP 180 Schoolhouse Road Souderton, PA 18964-2414	Unnamed Tributary to Skippack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAC460318	Philadelphia Country Club 1601 Spring Mill Road Gladwyne, PA 19035	Sawmill Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plymouth Township Montgomery County	PAC460285	Lilvin Enterprises LLC 1299 W James Street Norristown, PA 19401-3626	Plymouth Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAC510101	Lidl US Operations, LLC 2005 Market Street Suite 1010 Philadelphia, PA 19103-7068	Unnamed Tributary to Pennypack Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

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

*Lackawanna County Conservation District, 1038 Montdale Road, Scott Township, PA 18447.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC350062	John Giambra 108 Washam Rd Mooreville, NC 28117	Lackawanna	Old Forge Boro	Lackawanna River (CWF, MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAC390070	Allentown (Walbert Ave) DG, LLC 361 Summit Blvd Ste 110 Birmingham, AL 35243	Lehigh	S Whitehall Twp	Jordan Creek (TSF, MF)
PAC390074	Ard Maccommons, LLC 310 Yorktown Plaza Elkins Park, PA 19027	Lehigh	Whitehall Twp	Lehigh River (TSF, MF)

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Conewago Township Adams County Issued	PAC010087	Precision Cut Industries, Inc. 115 Ram Drive Hanover, PA 17331	UNT Plum Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636
Oxford Township Adams County Issued	PAC010093	New Age Associates, Inc. 126 Onyx Road New Oxford, PA 17350-8456	South Branch Conewago Creek (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 717.334.0636

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Allegheny Township Frankstown Township Blair County Issued	PAC070044	Garvey Manor Nursing Home 1037 South Logan Boulevard Hollidaysburg, PA 16648	Brush Run (WWF)	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814.696.0877, ext. 5
Southampton Township Cumberland County Issued	PAC210119	Interstate Investors, LLC P.O. Box 5 Walnut Bottom, PA 17266-0005	Burd Run (CWF)	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9101 717.240.7812
East Hempfield Township Lancaster County Issued	PAC360365	KRM-Stony Battery LLC 165-J Log Canoe Circle Stevensville, MD 21666	UNT Chiques Creek (WWF-MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Penn Township Lancaster County Issued	PAC360831	Kreider Farms 1461 Lancaster Avenue Manheim, PA 17545	UNT Lititz Run (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Warwick Township Lancaster County Issued	PAC360364	David King 60 South Groffdale Road Leola, PA 17540	Lititz Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Rapho Township Lancaster County Issued	PAC360352	Lancaster Dutch Hospitality LLC 503 Bedford Place Lititz, PA 17543	UNT Chiques Creek (WWF) Chiques Creek (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Warwick Township Lancaster County Issued	PAC360070	Lititz Reserve LLC 474 Mount Sidney Road Lancaster, PA 17602	Lititz Run (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Manor Township Lancaster County Issued	PAC360351	Alecix County Holdings LLC 2372 Franklin Road Columbia, PA 17512	UNT Little Conestoga Creek (WWF-MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Manheim Township Lancaster County Issued	PAC360361	Costello Builders Inc. P.O. Box 95 East Petersburg, PA 17520	Little Conestoga Creek (TSF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Manheim Township Lancaster County Issued	PAC360375	Simeral Construction Company 129 Airport Road Lititz, PA 17543	Little Conestoga Creek (WWF, MF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Manheim Township Lancaster County Issued	PAC360373	Alecxi County Holdings LLC 2372 Franklin Road Columbia, PA 17512	Landis Run (WWF) UNT Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Upper Leacock Township Lancaster County Issued	PAC360277	Market Square South, LLC 529 East Main Street Lititz, PA 17543	UNT Conestoga River (WWF)	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601-3149 717.299.5361, ext. 5
Union Township Lebanon County Issued	PAC380108	Jim Knopa 707 Eagleview Boulevard Exton, PA 19341	UNT Swatara Creek (WWF, MF) UNT Qureg Run (WWF, MF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042-9788 717.277.5275
West Manheim Township York County Issued	PAC670186	Lexington, LLC 330 Dubs Church Road Hanover, PA 17331	UNT Furnace Creek (WWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Dover Township York County Issued	PAC670217	Baker Price Development, LLC 3690 Wingfield Drive York, PA 17406	UNT Fox Run (TSF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Windsor Township Red Lion Borough York County Issued	PAC670278	Rexroth Equities, LP P.O. Box 98 Dallastown, PA 17313	Fishing Creek (TSF) Pine Run (CWF)	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430

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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Spring Twp Centre Cnty	PAC140062	Chamberson, LP 629 East Rolling Drive Bellefonte, PA 16823	UNT to Logan Branch CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817



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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Spring Twp Centre Cnty	PAC140074 Renewal Previously PAG02001412006R	Graymont (PA) Inc. 194 Match Factory Place Bellefonte, PA 16823	Buffalo Run CWF	Clearfield County Conservation District 511 Spruce St Ste 6 Clearfield, PA 16830 (814) 765-2629
Spring Twp Centre Cnty	PAC140069	Weis Markets 1000 S. Second Street Sunbury, PA 17801	UNT Spring Creek CWF, MF	Clinton County Conservation District 45 Cooperation Ln Mill Hall, PA 17751 (570) 726-3798
Fairfield Twp Lycoming Cnty	PAC410040 Previously PAG02004112022	Steve Krouse 99 Grey Fox Drive Montoursville, PA 17754	Twin Run WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003

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

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Findlay Township	PAC020001	Pittsburgh International Airport Fourth Floor—Mezzanine P.O. Box 12370 Pittsburgh, PA 15231	Montour Run (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Marshall Township	PAC020252	Spang Road Development, LLC 1158 Dutilh Road Mars, PA 16046	UNT to Big Sewickley Creek (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
North Fayette Township	PAC020318	Mr. Leon Chiri 13 West Allegheny Road Imperial, PA 15126	North Branch (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Richland Township	PAC020359	Field Brook Farms, LP 1700 North Highland Road Pittsburgh, PA 15241	UNT to Deer Creek (CWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Harmar Township	PAC020334	International Associates of SMART Workers 1200 Gulf Lab Road Pittsburgh, PA 15238	Deer Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645

<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>
Ross Township	PAC020308	Ross Park Development 3413 Babcock Boulevard Pittsburgh, PA 15237	Little Pine Creek (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
North Fayette Township	PAC020318	Mr. Leon Chiri 13 West Allegheny Road Imperial, PA 15126	North Branch Robinson Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Findlay Township	PAC020328	Maronda Homes, Inc. 11 Timberglen Drive Imperial, PA 15126	UNT to Potato Garden Run (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Marshall Township	PAC020336	Columbia Gas of Pennsylvania 2021 West State Street New Castle, PA 16101	Brush Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Baldwin Borough	PAC020357	Michael Brothers Hauling, Inc. 901 Horning Road Pittsburgh, PA 15236	Lick Run (TSF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Pine Township	PAC020374	Trinity Place, LLC 109 Gateway Avenue Suite 202 Wexford, PA 15090	Run Basin (CWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645
Collier Township	PAC020349	Sheetz, Inc. 817 Brookfield Drive Seven Fields, PA 16046	Chartiers Creek (WWF)	Allegheny County Conservation District River Walk Corporate Centre 33 Terminal Way Suite 325b Pittsburgh, PA 15219 (412) 241-7645

<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>
Robinson Township (Washington County); Findlay Township (Allegheny County)	PAC630123	Golden Triangle Construction Company 8555 Old Steubenville Pike Imperial, PA 15126	UNT to Saint Patrick Run (WWF)	Washington County Conservation District 50 Old Hickory Ridge Road Suite 1 Washington, PA 15301 (724) 705-7098

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Summit Township Erie County	PAC250060	Quality Mold, Inc 8130 Hawthorne Circle Erie, PA 16509	UNT Walnut Creek CWF; MF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
Summit Township Erie County	PAC250074	Scott's Development Company 8040 Peach Street Erie, PA 16509	Walnut Creek CWF; MF	Erie County Conservation District 1927 Wager Road Erie, PA 16509 814-825-6403
Forward Township Butler County	PAC100134	Manor Development Group II Mr. Dominic Gigliotti 11279 Perry Highway Suite 509 Wexford, PA 15090	Connoquenessing Creek WWF	Butler County Conservation District 122 McCune Drive Butler, PA 16001 724-284-5270

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Monroe Township Snyder County	PAG034858	Sunbury Generation LP P.O. Box 517 2384 North Old Trail Road Shamokin Dam, PA 17876-0517	Rolling Green Run and Susquehanna River—6-A and 6-B	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Pine Township Columbia County	PAG034857	White Pines Corporation 2650 Audubon Road Audubon, PA 19403	Unnamed Tributary of Laurel Run—10-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Canton Township Washington County	PAG036249	West Penn Wire Corp 2833 W Chestnut Street Washington, PA 15301-2543	Unnamed Tributary of Chartiers Creek (WWF)—20-F	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Bullskin Township Fayette County	PAG036248	North Fayette Supply LLC 415 Unity Center Road Pittsburgh, PA 15239-3409	Unnamed Tributary to Mounts Creek—19-D	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-05*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
West Chillisquaque Township Northumberland County	PAG054842	PPL Electric Utilities Corporation 1639 Church Road Allentown, PA 18104-9342	Unnamed Tributary to Chillisquaque Creek—10-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
McKeesport City Allegheny County	PAG056263 A-1	Duquesne Light Co. 2859 Oxford Boulevard Allison Park, PA 15101-2452	Youghiogheny River (WWF)—19-D	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-06*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Coraopolis Borough Allegheny County	PAG066135	Coraopolis Water & Sewer Authority Allegheny County 1012 5th Avenue Coraopolis, PA 15108-1804	Ohio River (WWF)—20-G	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Turtle Creek Borough Allegheny County	PAG066118	Turtle Creek Borough Allegheny County 125 Monroeville Avenue Turtle Creek, PA 15145-1862	Thompson Run (WWF), Turtle Creek (WWF)—19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Millvale Borough Allegheny County	PAG066106	Girtys Run Joint Sewer Authority 2236 Babcock Boulevard Pittsburgh, PA 15237-3218	Girtys Run (WWF)—18-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000
Rankin Borough Allegheny County	PAG066105	Rankin Borough Allegheny County 320 Hawkins Avenue Braddock, PA 15104-2119	Monongahela River (WWF)—19-A	DEP Southwest Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

*General Permit Type—PAG-8*

<i>Facility Location &amp; County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Mount Wolf Sewage Treatment Plant 175 Chestnut Street Mt. Wolf, PA 17347 East Manchester Township York County	PAG083529	Northeastern York County Sewer Authority 200 North Main Street Mt. Wolf, PA 17347	Same As Facility	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*General Permit Type—PAG-10*

*Facility Location  
Municipality &  
County*

Franklin Township  
Greene County

*Permit No.*  
PAG106217

*Applicant Name & Address*  
Equitrans Midstream Corp  
2200 Energy Drive  
Canonsburg, PA 15317

*Receiving Water/Use*  
Unnamed Tributary  
of Smith Creek  
(WWF) and  
Unnamed Tributary  
to Smith Creek  
(WWF)—19-B

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

*General Permit Type—PAG-13*

*Facility Location  
Municipality &  
County*

East Rockhill  
Township  
Bucks County

*Permit No.*  
PAG130162

*Applicant Name & Address*  
East Rockhill Township  
1622 Ridge Road  
Perkasie, PA 18944-2227

*Receiving Water/Use*  
East Branch  
Perkiomen Creek  
and Threemile Run  
2-D and 3-E

*Contact Office &  
Phone No.*  
DEP Southeast  
Regional Office  
Clean Water Program  
2 E Main Street  
Norristown, PA 19401  
484.250.5970

Forest Hills Borough  
Allegheny County

*Permit No.*  
PAG136239

*Applicant Name & Address*  
Borough of Forest Hills  
2071 Ardmore Boulevard  
Pittsburgh, PA 15221-4644

*Receiving Water/Use*  
Unnamed  
Tributaries of Turtle  
Creek 19-A  
WWF

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

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 4619503**, Public Water Supply.

Applicant	<b>Perkiomen View Hotel</b> 532 Gravel Pike Collegeville, PA 19426
Township	Perkiomen
County	<b>Montgomery</b>
Type of Facility	PWS
Consulting Engineer	Suburban Water Technology, Inc. 1697 Swamp Pike Gilbertsville, PA 19525
Permit to Construct Issued	March 25, 2019

**Operations Permit # 0918504** issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, **PWS ID # 1460073**, Middletown Township, **Bucks County** on March 19, 2019 for the operation of Neshaminy WTP high lift pump No. 3 approved under construction permit # 0918504.

**Operations Permit # 4617518** issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, **PWS ID # 1460069**, Perkiomen Township, **Montgomery County** on March 19, 2019 for the operation of repainted Cranberry Water Storage Tank, approved under construction permit # 4617518.

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

**Operation Permit No. 7500880** issued to: **Church of the Living Christ & Heritage Christian School (PWS ID No. 7500880)**, Tyrone Township, **Perry County** on 3/25/2019 for facilities approved under Construction Permit No. 7500880.

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

**Operation Permit** issued to **Erie City Water Authority, PWSID No. 6250028**, City of Erie, **Erie County**. Permit Number 2591502-T1 issued March 21, 2019 for the operation of the Zebra Mussel control system. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on March 20, 2019.

**Operation Permit** issued to **Erie City Water Authority, PWSID No. 6250028**, City of Erie, **Erie County**. Permit Number 7068-T1 issued March 21, 2019 for the operation of the 12 MGD high service pump at Sigsbee Reservoir Pump Station. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on March 20, 2019.

**Operation Permit** issued to **Erie City Water Authority, PWSID No. 6250028**, City of Erie, **Erie County**. Permit Number 2510505 issued March 21, 2019 for the operation of the Richard S. Wasielewski WTP. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on January 17, 2019.

**Operation Permit** issued to **Greenville Municipal Water Authority, PWSID No. 6430037**, Greenville Borough, **Mercer County**. Permit Number 2884-MA2 issued March 26, 2019 for the operation of the recently lined/replaced water mains and appurtenances. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on March 11, 2019.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Newton Township	528 Oakville Road Shippensburg, PA 17257	Cumberland

*Plan Description:* Approval of a revision to the official plan of North Newton Township, Cumberland County. The project is known as Clarence Zimmerman. The plan provides for a Small Flow Treatment Facility to serve an existing single family dwelling with 2 new proposed bedrooms. The proposed development is located at 88 Wildwood Lane. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-21921-148-3S and the APS Id is 985134. Any required NPDES Permits or WQM permits must be obtained in the name of the property owner.

**BIOSOLIDS INDIVIDUAL PERMITS  
(PABIG, SSN AND PABIS)**

The Department of Environmental Protection (Department) has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

Person aggrieved by these actions may appeal under section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, 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 Environmental Hearing 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 any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30 days. You do not need a lawyer to file an appeal with the Board.

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

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

**NPDES Permit No. PABIG 3501**, Sewerage, **Smith's Disposal Facility, LLC, Adams County**, Straban Township. Smith's Sanitary Septic Services, LLC, 1234 Baltimore Street, Hanover, PA 17331 has applied to have their biosolids (residential septage) approved for beneficial use by land application.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 2**

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors,

a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**Bethlehem Commerce Center Site—Lot 54**, 1405 Easton Road, Bethlehem City, **Northampton County**. HDR, 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015, on behalf of Lehigh Valley Industrial Park, 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015, submitted a cleanup plan concerning remediation of site soils contaminated with historical fill. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Dorney Park and Wildwater Kingdom**, 3830 Dorney Park Road, South Whitehall Township, **Lehigh County**. Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106, on behalf of Dorney Park and Wildwater Kingdom, 3830 Dorney Park Road, Allentown, PA 18104, submitted a Final Report concerning remediation of a release of heating oil to soil at a greenhouse. The report is intended to document remediation of the site to meet Statewide Health Standards.

**Dingmans Best Fuel Station**, 1596 Dingmans Turnpike, Delaware Township, **Pike County**. MEA, 1365 Ackermanville Road, Bangor, PA 18013, on behalf of Dingmans Fuel Transfer Corporation, P.O. Box 686, Dingmans Ferry, PA 18328, submitted a Final Report concerning remediation of a release of diesel to soil. The report is intended to document remediation of the site to meet Statewide Health Standards.

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

**Speedway # 6719**, 1070 Lincoln Highway, Chambersburg, PA 17201, Chambersburg Borough, **Franklin County**. EMS Environmental, Inc., 4550 Bath Pike, Bethlehem, PA 18014, on behalf of Speedway LLC, 500 Speedway Drive, Enon, OH 45323, submitted a Final Report concerning site soil contaminated with unleaded

gasoline. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Charles Kerst Property**, 1411 Long Lane, Columbia, PA 17512, East Donegal Township, **Lancaster County**. Liberty Environmental, Inc., 315 West James Street, Suite 205, Lancaster, PA 17603, on behalf of Charles Kerst, 1411 Long Lane, Columbia, PA 17512, submitted a Final Report site soil contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard.

**Martin Electric Plants**, 280 Pleasant Valley Road, Ephrata, PA 17522, West Earl Township, **Lancaster County**. ARRO Consulting, Inc., 108 West Airport Road, Lititz, PA 17543, on behalf of IPR, LLC, 10 Miller Road, Akron, PA 17501, submitted a Remedial Investigation Report concerning remediation of site soil contaminated with lead and arsenic. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health and Site Specific Standards.

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

**Torpedo Specialty Wire, Inc.**, 7065 State Route 27, Pittsfield Township, **Warren County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412, on behalf of Torpedo Specialty Wire, Inc., P.O. Box 21, Red Oak, NC 26868, submitted a Remedial Investigation Report/Cleanup Plan/Risk Assessment Report concerning the remediation of site soil contaminated with benzene, ethylbenzene, xylenes (total), carbon tetrachloride, chloroform, 1,1-dichloroethane, 1,2-dichloroethane, 1,1-dichloroethene, tetrachloroethene (PCE), 1,1,1-trichloroethane, 1,1,2-trichloroethane, trichloroethene (TCE), vinyl chloride, benzaldehyde, cadmium, chromium (total), copper, lead, mercury, nickel, zinc, trichlorofluoromethane, naphthalene and site groundwater contaminated with acetone, benzene, chloroethane, chloroform, 1,1-dichloroethane, 1,2-dichloroethene, 1,1-dichloroethene, cis-1,2-dichloroethene, trans-1,2-dichloroethene, methylene chloride, 1,1,1-trichloroethane, 1,1,2-trichloroethane, trichloroethene, vinyl chloride, di-n-butyl phthalate, bis[2-ethylhexyl]phthalate, pyrene, caprolactam, barium, chromium, copper, nickel, and zinc. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Marathon New Castle Site (MPC No. 3670)**, 718 East Washington Street, City of New Castle, **Lawrence County**. Arcadis US, Inc., 6041 Wallace Road Extension, Suite 300, Wexford, PA 15090, on behalf of Marathon Petroleum Company, LP, 539 South Main Street, Findlay, OH 45840, submitted a Cleanup Plan concerning the remediation of site soils and site groundwater contaminated benzene, toluene, ethylbenzene, xylenes, cumene, naphthalene, 1-methylnaphthalene, 2-methylnaphthalene, 1,2,4-trimethylbenzene (TMB), 1,3,5-TMB, 1,2-dibromoethane, 1,2-dichloroethane, anthracene, acenaphthene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(k)fluoranthene, benzo(g,h,i)perylene, chrysene, dibenzo(a,h)anthracene, indeno(1,2,3-cd)pyrene, acenaphthylene, fluoranthene, fluorene, phenanthrene, pyrene, and lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Prescott Quarry**, 200 Prescott Road, Lebanon, PA 17042, South Lebanon Township, **Lebanon County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17603, on behalf of Pennsy Supply, Inc.,

200 Prescott Road, Lebanon, PA 17042, submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Nonresidential Statewide Health Standard and was approved by the Department on March 21, 2019.

**WHTM-TV**, 3235 Hoffman Street, Harrisburg, PA 17110, City of Harrisburg, **Dauphin County**. Environmental Products & Services of Vermont, Inc., 1539 Bobali Drive, Harrisburg, PA 17104, on behalf of Alexander Building Construction Company, submitted a Final Report concerning remediation of site soil contaminated with transmission fluid and motor oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on March 20, 2019.

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

**Stewart Silk Mill**, 620 Coal Street, Easton City, **Northampton County**. Moonstone Environmental, LLC, 1150 Glenlivet Drive, Suite A-23, Allentown, PA 18106, on behalf of TCH Realty & Development Company, 900 South Avenue, Suite 300, Staten Island, NY 10314, submitted a combined Remedial Investigation Report, Risk Assessment, and Cleanup Plan concerning remediation of soil at this former industrial and manufacturing site was contaminated with metals, volatile organic compounds, semi-volatile organic compounds, and polychlorinated biphenyls. The report was intended to document plans to remediate the site to meet Site-Specific Standards but was disapproved by the Department on March 20, 2019.

**Trehab Associates**, 36 Public Avenue, Montrose Borough, **Susquehanna County**. Hydrocon Services, 1119 Longbrook Road, Lutherville, MD 21093, on behalf of Trehab Associates Inc., 36 Public Avenue, Montrose, PA 18801, submitted a final report concerning remediation of site soil and groundwater contaminated with heating oil from an underground storage tank. The report documented remediation of the site to meet Statewide Health Standards and was approved by DEP on March 25, 2019.

### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit No. WMGR096SE010. Philadelphia Regional Port Authority**, 3460 N. Delaware Avenue, Philadelphia, PA 19134. This application is for the determination of applicability (DOA) under General Permit No. WMGR096 for the beneficial use of regulated fill material, as defined in Department of Environmental Protection (DEP) Document No. 258-2182-2773 (Management of Fill) to be used as construction material at the South Port Facility, located at 51 Mustin Street (Navy Yard) in the City and **County of Philadelphia**. The application for determination of applicability was issued by the Southeast Regional Office on March 8, 2019.



Persons interested in reviewing the general permit may contact the Pennsylvania Department of Environmental Protection ("DEP") Waste Management Program Manager, Southeast Regional Office, 2 East Main Street, Norristown, PA 19401-4915, or by telephone at 484.250.5960. TDD users may contact the DEP through the Pennsylvania AT&T Relay Service, (800) 654.5984.

## AIR QUALITY

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### 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.

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

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

**GP3-09-0159: The H&K Group** (2001 Ridge Road, Sellersville, PA 18960) On March 21, 2019, for a Portable Nonmetallic Mineral Processing Plant, Manufacturer: Astec, Model No. 3600, Max. Throughput: 380 tons/hr, located in West Rockhill Township, **Bucks County**.

**GP9-09-0086: The H&K Group** (2001 Ridge Road, Sellersville, PA 18960) On March 21, 2019, for One (1) Diesel or No. 2 Fuel-Fired Internal Combustion Engine, Manufacturer: Cummins, Model No. QSL8.9 Capacity: 380 bhp, located in West Rockhill Township, **Bucks County**.

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

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

**GP3-08-124: Duffy, Inc.** (P.O. Box 374, 1 Delta Drive, Smethport, PA 16749) on March 14, 2019, to authorize the operation of a 2008 vintage Kolberg-Pioneer Fast Track model FT2650 portable crushing plant pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Cornelius Quarry # 3 located in Roulette Township, **Potter County**.

**GP11-08-124: Duffy, Inc.** (P.O. Box 374, 1 Delta Drive, Smethport, PA 16749) on March 14, 2019 to authorize the operation of a 2006 vintage 275 brake-horsepower Caterpillar C9 FT2650 diesel engine pursuant to the General Plan Approval and General Operating Permit for Nonroad Engines (BAQ-GPA/GP-11) at the Cornelius Quarry # 3 located in Roulette Township, **Potter County**.

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

*Contact: Ed Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**GP3-26-00565B: Steve Patterson Excavating** (170 Yasenosky Road, Smithfield, PA 15478) on March 20, 2019, to authorize to continue operation of one (1) Crusher rated at 250 tph; one (1) Grinder rated at 250 tph; two (2) Vibratory Screens each rated at 250 tph; one (1) Shredder Screen rated at 250 tph; and twelve (12) Conveyors at their Non-Metallic Mineral Crushing Plant located at Rose Surface Mine in Dunbar Township, **Fayette County**.

**GP3-63-00970D: Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258) on March 18, 2019 to allow the operation of a portable nonmetallic mineral processing plant consisting of three (3) crushers each rated at 200 tph, one (1) radial stacker, two (2) vibratory screen, and associated conveyors located in Deemston Borough, **Washington County**.

**GP11-63-00970A: Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258) on March 18, 2019 to allow the installation and operation of four (4) nonroad diesel-fired engines rated at 275 bhp, 448 bhp, 190 bhp and 300 bhp in conjunction with a portable nonmetallic mineral processing plant located in Deemston Borough, **Washington County**.

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

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

**GP1-20-294C: International Waxes, Titusville** (1001 E Spring St., Titusville, PA 16354) on March 19, 2019, for the authority to continue operation of an existing 23.45 MMBtu/hr natural gas-fired boiler (BAQ-GPS/GP1) located at their facility in Titusville City, **Crawford County**.

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### 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.

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*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.*

**21-05028C: Fry Communications, Inc., Building 3** (101 Fry Drive, Mechanicsburg, PA 17050) on March 20, 2019, for the installation of a new 75" Manroland Lithoman IV 4-80 745 lithographic printing press at the printing facility located in Mechanicsburg Borough, **Cumberland County**. The printing press includes an integral dryer and afterburner for the control of VOC emissions.

**21-05067A: Carlisle Syntec, Divison Carlisle Construction Materials, LLC** (P.O. Box 7000, Carlisle, PA 17013) on March 20, 2019, for the installation of a Dubois Primer Coater Station at the facility located in Carlisle Borough, **Cumberland County**. The primer coater station will apply adhesive primer to rolls of sheet roofing.

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

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

**16-132N: Clarion Boards, Inc.** (143 Fiberboard Rd., P.O. Box 340, Shippensburg, PA 16254), on March 20, 2019 issued a Plan Approval for the proposed facility VOC limit to become a synthetic minor VOC facility in Paint Township, **Clarion County**. This is a Title V facility.

**43-290D: NLMK PA-Sharon Coating LLC** (277 N Sharpsville Ave., Sharon, PA 16146), on March 19, 2019 issued a Plan Approval for operational changes and an increase in facility wide CO Emission limit in Sharon City, **Mercer County**. This is a State Only facility.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

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

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

**23-0038F: Delcora** (P.O. Box 999, 100 E 5th St., Chester, PA 19016-0999) On March 20, 2019, for their plan approval to add controls consisting of a quench, a multi-venturi scrubber, wet electrostatic precipitator and regenerative thermal oxidizer to each of their two multiple hearth incinerators located in Chester City, **Delaware County**.

**23-0009J: The Boeing Co** (P.O. Box 16858, MC P01-29, Philadelphia, PA 19142-0858) On March 20, 2019, for the installation and operation of two (2) new dual fuel (natural gas/No. 2 fuel oil) boilers, and the removal of two (2) existing boilers at their facility located in Ridley Township, **Delaware County**.

**46-0036K: Div AR Prop LP** (1041 US Highway 202/206, Bridgewater, NJ 08807-1291) On March 21, 2019, extended for the increase the permitted operating hours for four (4) existing electric generating engines and the modification of these engines with the installation of oxidation catalyst to reduce CO and VOC emissions at their facility located in Worcester Township, **Montgomery County**.

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

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

**06-03102B: The City of Reading** (815 Washington Street, Reading, PA 19601) on March 19, 2019, for upgrades to the Reading Waste Water Treatment Plant on Fritz Island located in the City of Reading, **Berks County**. The plan approval was extended.

**28-05002O: Letterkenny Army Depot—US Department of Defense** (One Overcash Avenue, Chambersburg, PA 17201) on March 19, 2019, for the construction of a new surface coating booth at the Letterkenny Army Depot in Greene/Letterkenny Townships, **Franklin County**. The plan approval was extended.

**36-03207A: R. E. Ebersole, Inc.** (236 Governor Stable Road, Bainbridge, PA 17502) on March 21, 2019, for an existing 16.752 MMBtu/hr, # 2 oil fired, boiler at the rendering facility located in Conoy Township, **Lancaster County**. The plan approval was extended, with a compliance schedule.

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

*Contact: Ed Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**14-00704B: Buckeye Pipeline Company LP** (469 Moon Clinton Road, Coraopolis, PA 15108-3833) plan approval modification issuance effective March 12, 2019, to modify the Plan Approval to initiate the period of temporary operation for their Midland Breakout Station/Midland Terminal located in Midland and Industry Borough, **Beaver County**.

**65-00634A: Dominion Energy Transmission, Inc.** (5000 Dominion Boulevard, 2NE, Glen Allen, VA 23060) on March 22, 2019, to allow continued temporary operation of the sources authorized under PA-65-00634A at the JB Tonkin Compressor Station located in Murrysville Borough, **Westmoreland County**.

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

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

**10-333D: Penn United Technology Inc.** (795 N. Pike Road, Cabot, PA 16023) on March 19, 2019, effective March 31, 2019, has issued a plan approval extension for construction of a batch vapor degreasing unit using trichloroethylene solvent in Jefferson Township, **Butler County**. This is a State Only facility. This will expire on September 30, 2019.

**20-037B: US Bronze Foundry & Machine Inc.** (18649 Brakeshoe Rd., P.O. Box 458, Meadville, PA 16335) on March 19, 2019, effective March 31, 2019, has issued a plan approval extension to construct, modify or operate two (2) 2,000 lb. capacity electric induction furnaces, two (2) 80 lb. aluminum/bronze crucible furnaces, grinding operations, a sand handling system, and a rotary drop media surface abrader in Woodcock Township, **Crawford County**. This will expire September 30, 2019. This is a State Only facility.

**24-131R: SGL Carbon LLC** (900 Theresia St., P.O. Box 1030, Saint Mary's, PA 15857) on March 25, 2019, effective March 31, 2019, has issued a plan approval extension for the construction of a new Chemical Vapor Deposition Reactor (# 16) and scrubber located in Building 500 CVD Operations in the City of St. Mary's, **Elk County**. This is a State Only facility. This will expire on September 30, 2019.

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

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

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

**46-00298: GlaxoSmithKline, LLC East** (709 Swedeland Road, King of Prussia, PA 19406) On March 20, 2019, for operation of boilers and generators at the Pharmaceutical Preparation and Manufacturing Plant located in Upper Merion Township, **Montgomery County**.

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

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

**54-00041: Silberline Manufacturing Company** (130 Lincoln Drive, Tamaqua, PA 18252-4321) The Department issued, on 3/20/19, a Title V Operating Permit renewal for operation of a pigment manufacturing facility in Rush Township, **Susquehanna County**. The proposed Title V Operating Permit includes all applicable emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements. Presumptive RACT II conditions are included while case-by-case RACT II will be incorporated into the permit through a permit modification.

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

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

**25-00923: Erie Power, LLC** (10915 Ackerman Lane, North East, PA 16428-3828). On March 25, 2019, the Department issued the renewal of the Title V Operating Permit for the cogeneration facility located in North East Township, **Erie County**. The facility's primary emission sources include the two (2) existing 35 MW natural gas-fired combustion turbines and miscellaneous natural gas usage. The potential emissions, after permit limitations, of the major pollutants from the facility are as follows: 244.56 TPY (tons per year) NO<sub>x</sub>, 223.55 TPY CO, 33.74 TPY VOC, 6.31 TPY total HAPs (hazardous air pollutants), 43.05 TPY PM<sub>10</sub> and PM<sub>2.5</sub>, and 5.22 TPY SO<sub>x</sub>; thus, the facility is subject to Title V requirements for potential emissions of NO<sub>x</sub> and CO in excess of 100 TPY. The turbines are subject to 40 CFR 60 Subpart GG Performance Standards for Stationary Gas Turbines and presumptive RACT under 25 Pa. Code § 129.97(g)(2) relating to NO<sub>x</sub> emissions. The turbines are also subject to CSAPR (Cross State Air Pollution Rule) requirements of 40 CFR Part 97, Subparts AAAAA, CCCCC, and EEEEE. A 5.5 MMBtu/hr space heating source is subject to presumptive RACT under 25 Pa. Code § 129.97(c)(3) relating to work practices. 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 Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

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

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

**09-00115: Draper DBS, Inc.** (1803 North 5th Street, Perkasio, PA 18944). On March 20, 2019, for renewal of a State Only, Synthetic Minor Operating Permit for their custom wood cabinetry design, manufacturing, and finishing facility in East Rockhill Township, **Bucks County**.

**23-00058: Haverford College** (370 Lancaster Ave., Haverford, PA 19041) On March 20, 2019, for a State Only, Synthetic Minor Operating Permit for the operation of sources at a College in Haverford Township, **Delaware County**.

**09-00118: Associated Rubber Incorporated,** (115 S. 6th Street, Quakertown, PA 18951) On March 25, 2019, for the renewal of a Non-Title V Facility, State-Only, Natural Minor Operating Permit in Quakertown Borough, **Bucks County**.

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

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

**40-00104: Brdaric Excavating, Inc.** (500 Main Street, Swoyersville, PA 18704). On March 25, 2019 the Department issued a renewal State-Only Natural Minor Permit for Brdaric Buck Mountain Quarry located in Kingston Township, **Luzerne County**. This quarry operates a rock crushing plant. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP)

and VOC's. The 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.

**52-00002: Eureka Stone Quarry, Inc.** (P.O. Box 249, Chalfont, PA 18914-0249). On March 19, 2019 the Department issued a renewal State-Only Synthetic Minor Permit for their Milford Plant located in Milford Borough, **Pikes County**. The source is considered a minor emission source of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**14-00040: Dominion Transmission, Inc.** (925 White Oaks Boulevard, Bridgeport, WV 26330-6919) on March 19, 2019, an operating permit renewal for their Centre Compressor Station located in Spring Township, **Centre County**. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit renewal to ensure the facility complies with all applicable Federal and State air quality regulations.

**59-00006: Dominion Transmission, Inc.** (925 White Oaks Boulevard, Bridgeport, WV 26330-6919) on March 18, 2019, an operating permit renewal for their Boom Compressor Station located in Lawrence Township, **Tioga County**. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit renewal to ensure the facility complies with all applicable Federal and State air quality regulations.

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

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

**63-00969: MarkWest Liberty Midstream & Resources, LLC** (Between PA 18 & Cross Creek Road) Synthetic Minor Operating Permit on March 18, 2019, the Department of Environmental Protection (DEP) authorized an initial synthetic minor state-only operating permit for a natural gas compressor station located in Smith Township, **Washington County**. The facility was previously operating under a GP-5. The synthetic minor state-only operating permit was required per a consent decree between the company, the EPA, and the Department to account for pigging operations. The permit includes emission limits, operating requirements, monitoring requirements, and recordkeeping requirements for the site.

**63-00895: Ensinger, Inc.** (365 Meadowlands Boulevard, Washington, PA 15301) Natural Minor Operating Permit on March 19, 2019, the Department of Environmental Protection (DEP) authorized a renewed natural minor State-Only operating permit for a thermoset plastic manufacturing plant and located in North Strabane Township, **Washington County**. The permit includes

operating requirements, monitoring requirements, and recordkeeping requirements for the site.

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

*Contact: Matt Williams, Facilities Permitting Chief, Telephone: 814-332-6940.*

**25-01043: Barrel O' Fun Snack Foods Company East** (821 Route 97, Waterford, PA 16441), on March 20, 2019, the Department issued the new State-Only Operating Permit of a snack food manufacturing facility located in Waterford Township, **Erie County** that produces potato chips, corn puffs, and popcorn. Issued in 2014, Plan Approval 25-1043A initially authorized operations of six (6) fryers, a corn puff line, a corn popper, and a hot water maker at the facility. In January 2019, a RFD was approved authorizing the operation of a seventh (7th) fryer. As PM control, each kettle fryer is equipped with a high efficiency oil mist eliminator. Requirements of the plan approval are incorporated into the operating permit. Emission limits established are adjusted to account for the 7th fryer. A recordkeeping requirement is also added to demonstrate compliance with these emission limits. Conditions on source test submittals are updated based on Source Testing Section's latest guidelines. With PTEs of 11.0 TPY NO<sub>x</sub>, 9.22 TPY CO, 5.5 TPY PM, 3.15 TPY VOC, and 0.07 TPY SO<sub>x</sub>, the facility is Natural Minor for permitting purposes.

**42-00181: Lewis Run Gas Plant LLC** (4613 East 91st Street, Tulsa, OK 74137) The Department on March 19, 2019 issued a renewal of the Natural Minor Operating Permit to operate the natural gas processing plant in Bradford Township, **McKean County**. The facility's primary emission sources include a dehydration unit, combustion emissions for the dehydration unit, a fractionation skid with an associated combustion heater, an inlet compressor (rated at 700 HP), a 265 HP refrigeration compressor, potential equipment leaks, product storage tanks and loading, and an emergency natural gas generator. The inlet compressor and refrigeration compressor are 4 stroke rich burn engines equipped with catalytic converters. These two engines are subject to 40 CFR 63 Subpart ZZZZ—NESHAPs for Stationary Reciprocating Internal Combustion Units. The dehydration unit is subject to 40 CFR 63 Subpart HH—NESHAPs from Oil and Natural Gas Production Facilities. The emergency engine is subject to 40 CFR 60 Subpart JJJJ. Actual emissions from the facility are less than the Title V emission thresholds. The conditions of the previous plan approvals and operating permits were incorporated into the renewal permit.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

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

**15-00015: Arkema Company, Inc.** (610 Bolmar Street, West Chester, PA 19382) On March 20, 2019, located in West Chester Borough, **Chester County**, opened for cause of the Title V Operating Permit. A revised testing requirement was added to the permit. The permit contains all applicable requirements including monitoring, recordkeeping and reporting.

**46-00041: Graphic Packaging International, Inc.** (1035 Longford Road, Phoenixville, PA 19460) On March 20, 2019, for a change in company name from Graphic Packaging International, Inc. to Graphic Packaging International, LLC, and incorporates terms and conditions from Plan Approval No. 46-0041F for the installation of a new non-heatset, sheetfed, offset lithographic printing press for their facility located in Upper Providence Township, **Montgomery County**. This action is an Administrative Amendment of the Title V Operating Permit performed under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

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

**63-00147: International Paper Company/Eighty-Four Container Plant** (10 Wilson Road, Eighty-Four, PA 15330) on March 18, 2019, the Department amended the facility's State-Only Operating Permit for a change in Permit Contact. This was a correction from an amendment processed on March 11, 2019, that erroneously changed the Responsible Official. The company operates a corrugated box manufacturing facility located in North Strabane Township, **Washington County**.

**De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.**

*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.*

**28-05002: US Department of Defense—Letterkenny Army Depot** (One Overcash Avenue, Chambersburg, PA 17201). Pursuant to 25 Pa. Code § 127.449(i), this *PA Bulletin* Notice is for de minimis emission increases of 0.000001 TPY PM<sub>10</sub> resulting from the installation of a central vacuum system in the paint shop building (Bldg. 3382) of the ammunition storage area to collect sanding waste from the sanding of missile containers at the Letterkenny Army Depot located in Greene/Letterkenny Townships, **Franklin 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: Ed Orris, P.E., New Source Review Chief—Telephone: 412-442-4168.*

**04-00704: Buckeye Pipe Line Company, LP** (469 Moon Clinton Road, Coraopolis, PA 15108) on September 21, 2018, pursuant to 25 Pa. Code § 127.449, for de minimis emissions increase of up to 0.00015 ton of VOC and HAPs per year, resulting from the use of an existing 1,000-gallon horizontal tank to store methanol at its Midland Breakout Station located in Industry Borough, **Beaver County**. To date, no other de minimis emissions increases have occurred at the facility during the term of its current State Only Operating Permit (OP-04-00704).

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### Coal Permits Issued

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

**17743702 and NPDES No. PA0215490. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Lady Jane Plant in Huston Township, **Clearfield County**. No additional discharges. The application was considered administratively complete on May 20, 2015. Application received: January 27, 2015. Permit issued: March 25, 2019.

**56841608 and NPDES No. PA0213721 and GP12-56841608-R15. PBS Coals, Inc.**, (P.O. Box 260, Friedens, PA 15541). To renew the permit for the Cambria Fuel Prep Plant in Stonycreek Township, **Somerset County** to include renewal of Air Quality GPA/GP12 authorization. Approval is authorized under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-56841608-R15. The application was considered administratively complete on January 5, 2017. Application received: May 16, 2016. Permit issued: March 25, 2019.

### Noncoal Permits Issued

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

**53080806. Samuel A. Treat** (326 Burrows Road, Coudersport, PA 16915). Final bond release for small industrial minerals surface mine located in Allegany Township, **Potter County**. Restoration of 1.0 acre completed. Receiving stream(s): unnamed tributary to Peet Brook. Application received on January 16, 2019. Final bond release approved: March 19, 2019.

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

**GP11262518-001. Iron Mountain US, LLC** (1 Pilarsky Way, Aliquippa, PA 15001-5958). Approval for culvert replacement authorized under Chapter 105 General Permit GP11262518-001 and is required to meet all applicable limitations, terms and conditions of authorization GP11262518-001, located in Dunbar Township, **Fayette County**. Registration received: October 18, 2018. Coverage authorized: March 14, 2019. Noncoal Permit 26990301 reissued: March 14, 2019.

**03020402 and NPDES Permit No. PA0250406. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201). Permit issued for commencement, operation and restoration of a large noncoal surface mine, located in West Franklin Township, **Armstrong County**, affecting 160.8 acres. Receiving streams: unnamed tributary and Buffalo Creek. Application received: October 22, 2018. Permit issued: March 21, 2019.

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

**Permit No. 4873M6C. Kinsley Construction, Inc.**, (P.O. Box 3886, York, PA 17405), correction to an existing quarry operation to include placement of fill for mine reclamation and decrease the permit acres from 77.0 acres to 56.2 acres in West Manchester Township, **York County**, receiving stream: Codorus Creek. Application received: December 19, 2016.

**Permit No. PAM112058C. Kinsley Construction, Inc.**, (P.O. Box 3886, York, PA 17405), correction of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 4873SM6 in West Manchester Township, **York County**, receiving stream: Codorus Creek. Application received: April 4, 2018. Correction issued: March 21, 2019.

**Permit No. PAM111102R. White Stone Quarry, LLC**, (601 Salem Road, Archbald, PA 18403), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 35110301 in Jefferson Township and Archbald Borough, **Lackawanna County**. Receiving stream: no discharge to Indian Cave Creek. Application received: January 29, 2019. Renewal issued: March 22, 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.*

**14194102. Douglas Explosives Inc.** (2052 Philipsburg Bigler Highway, Philipsburg, PA 16866). Blasting for residential development located in Harris Township, **Centre County** with an expiration date of April 1, 2020. Permit issued: March 20, 2019.

**53194001. SA Exploration** (13645 North Promenade Boulevard, Stafford, TX 77477). Blasting for seismic exploration located in Stewardson Township, **Potter County** and Chapman Township, **Clinton County** with an expiration date of March 7, 2020. Permit issued: March 18, 2019.

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

**Permit No. 38194104. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blast-

ing for Scenic Ridge Phase 111 in West Cornwall Township, **Lebanon County** with an expiration date of February 28, 2020. Permit issued: March 19, 2019.

#### PRIMACY BOND FORFEITURE PROJECT

*Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931-4119, Telephone (814) 472-1908.*

Primacy Bond Forfeiture Project	PBF 56703124.2
Location	Stonycreek Township Somerset County Pennsylvania
Description	Flight 93—Iron Sludge Handling Facility
Contractor	Earth Shapers, LLC 2502 Cardiff Road Ebensburg, PA 15931
Amount	\$139,012.00
Date of Award	March 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.

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**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.**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E15-887: Woodbine Partners, L.P.**, 120 Pennsylvania Avenue, Malvern, PA 19335, Borough of Downingtown, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within the floodway/floodplain of the Parke Run Creek (WWF, MF) associated with the Woodbine Apartments Project:

1. To construct and maintain a pedestrian timber bridge for an 8-foot wide and measuring approximately 100 feet in length above the floodway elevation associated with the subdivision.
2. Realigned, regrade, and stabilize about 110 feet of stream to align with extended Woodbine Road culvert.
3. To extend and maintain the existing culverts along the Country Club Drive (about 7.5 feet extension to total length of 37.5 feet), and along Woodbine Road (about 83 feet extension to total length of 115 feet).
4. To construct and maintain five stormwater outfall structures along the stream, and sanitary sewer main relocation.

The site is located at the southeast corner of the intersection of Woodbine Road and Lancaster Avenue (USGS Downingtown, PA Quadrangle, Latitude: 40.014626; Longitude: -75.684885).

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

*Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E40022-814. Paul Rollman, Jr. & Lorraine Elias**, 15 First Street, Harveys Lake, PA 18612, Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a 2,150 sq. ft., pile-supported dock and boathouse within the basin of Harveys Lake (HQ-CWF). The project is located at Pole # 27 along Lakeside Drive (S.R. 415) (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 39"; Longitude: -76° 2' 2"). Sub-basin 5B.

**E45-617. Brodhead Creek Regional Authority**, 410 Mill Creek Road, East Stroudsburg, PA 18301-1126. Stroud Township, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a concrete pad that's approximately 17-feet wide by 34-feet long which contains a new emergency generator and electrical equipment for the Brodhead Creek Regional Authority Water Treatment

Plant within the 100-year floodplain of the Brodhead Creek (HQ-CWF, MF). The project is located at 410 Mill Creek Road in Stroud Township, Monroe County (East Stroudsburg, PA Quadrangle; Latitude: 41° 1' 2.77"; Longitude: -75° 12' 8.72"). Sub-basin 1E.

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

**E02-1720, Hampton Township**, 3101 McCully Road, Allison Park, PA 15101, Hampton Township, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

1. Construct and maintain stream bank protection along approximately 95' of Gourdhead Run (TSF);

2. Excavate material from 0.39-acre of floodway and floodplain, and to reduce the height and slope of both stream banks, along 510 linear feet of this same reach of Gourdhead Run;

3. Construct and maintain two pedestrian bridges and scour protection across and along a combined total of 66 linear feet of Gourdhead Run, at the upstream and downstream limits of this same reach of Gourdhead Run;

4. Construct and maintain a gravel walking trail along the perimeter of the project area; and

5. Construct mitigation within the floodplain of Gourdhead Run as required by a previously issued permit, permit number E02-1633.

For the purpose of creating a pedestrian walking trail and the Gourdhead Run floodplain detention project, near the intersection of Duncan Avenue and State Route 8 (Glenshaw, PA USGS topographic quadrangle; Lat: 40° 33' 35"; Long: -79° 57' 36"; Sub-basin: 18A, Pittsburgh Corps District) in the Township of Hampton, Allegheny County.

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

**E5829-134: Franklin and Liberty Townships, SWN Production Company, LLC**; 10000 Energy Drive, Spring, TX 77389; Franklin and Liberty Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge impacting 51 lineal feet of an unnamed tributary to Silver Creek (EV, CWF-MF) (Franklin Forks, PA Quadrangle; Latitude: 41° 55' 31", Longitude: -75° 52' 18"),

2) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat impacting 12,168 square feet (0.28 acre) of a palustrine emergent wetlands (PEM) (Franklin Forks, PA Quadrangle; Latitude: 41° 55' 32", Longitude: -75° 52' 17"),

3) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge impacting 50 lineal feet of an unnamed tributary to Silver Creek (EV, CWF-MF) (Franklin Forks, PA Quadrangle; Latitude: 41° 55' 44", Longitude: -75° 51' 52"),

4) a 12-inch diameter steel natural gas gathering pipeline impacting 2 lineal feet of an unnamed tributary to Silver Creek (EV, CWF-MF) (Franklin Forks, PA Quadrangle; Latitude: 41° 55' 49", Longitude: -75° 51' 48"),

5) a 12-inch diameter steel natural gas gathering pipeline impacting 5 lineal feet of an unnamed tributary to Silver Creek (EV, CWF-MF) (Franklin Forks, PA Quadrangle; Latitude: 41° 55' 50", Longitude: -75° 51' 47"),

6) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat impacting 98 square feet (0.01 acre) of a palustrine emergent wetlands (PEM) and palustrine scrub-shrub wetlands (PSS) (Franklin Forks, PA Quadrangle; Latitude: 41° 55' 50", Longitude: -75° 51' 46"),

7) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat impacting 933 square feet (0.01 acre) of a palustrine forested wetlands (PFO) (Franklin Forks, PA Quadrangle; Latitude: 41° 55' 53", Longitude: -75° 51' 38"),

8) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat impacting 260 square feet (0.01 acre) of a palustrine forested wetlands (PFO) (Franklin Forks, PA Quadrangle; Latitude: 41° 55' 55", Longitude: -75° 51' 38"),

9) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat impacting 884 square feet (0.01 acre) of a palustrine forested wetlands (PFO) (Franklin Forks, PA Quadrangle; Latitude: 41° 55' 59", Longitude: -75° 51' 38"),

10) a 12-inch diameter steel natural gas gathering pipeline and temporary timber mat bridge impacting 359 square feet of floodway to an unnamed tributary to Silver Creek (CWF, MF) (Franklin Forks, PA Quadrangle; Latitude: 41° 55' 31", Longitude: -75° 51' 39").

#### 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 # ESG30700719-001  
 Applicant Name PennEnergy Resources, LLC  
 Contact Person Scott Sweder  
 Address 1000 Commerce Drive, Park Place One, Suite 400  
 City, State, Zip Pittsburgh, PA 15275  
 County Beaver  
 Township(s) New Sewickley Twp  
 Receiving Stream(s) and Classification(s) Unnamed Tributaries to Brush Creek, Brush Creek, Connoquenessing Creek, Beaver River (WWF)

ESCGP-3 # ESG30706318-001  
 Applicant Name Mountain Gathering, LLC  
 Contact Person Dewey Chalos  
 Address 190 Thorn Hill Road  
 City, State, Zip Warrendale, PA 15086  
 County Indiana  
 Township(s) Center  
 Receiving Stream(s) and Classification(s) Unnamed tributaries to Two Lick Creek, Two Lick Creek, Laurel Run, Cherry Run (CWF, siltation impaired), Blacklick Creek (TSF, siltation impaired)

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

ESCGP-3 # ESG32908118-002  
 Applicant Name SWN Production Co LLC  
 Contact Person Nicki Atkinson  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Lycoming  
 Township(s) Pine Twp.  
 Receiving Stream(s) and Classification(s) Primary Watershed(s): UNT to Blacks Creek (EV)  
 Secondary Watershed(s): Blockhouse Creek (EV)

ESCGP-3 # ESG32911719-001  
 Applicant Name Rockdale Marcellus LLC  
 Contact Person Sean Wainwright  
 Address 4600 J Barry Court, Suite 120  
 City, State, Zip Canonsburg, PA 15317  
 County Tioga  
 Township(s) Liberty Twp.  
 Receiving Stream(s) and Classification(s) Primary Watershed(s): Roaring Branch (EV)  
 Secondary Watershed(s): Roaring Branch (EV)

ESCGP-3 # ESG32903319-001  
 Applicant Name Range Resources—Appalachia, LLC  
 Contact Person Karl Matz  
 Address 3000 Town Center Blvd.  
 City, State, Zip Canonsburg, PA 15317-5839  
 County Clearfield  
 Township(s) Morris Twp  
 Receiving Stream(s) and Classification(s) Primary Watershed(s): UNTs to Hawk Run (EV)  
 Secondary Watershed(s): Hawk Run (EV)

ESCGP-3 # ESG32908119-002  
 Applicant Name ARD Operating, LLC  
 Contact Person Stephen Barondeau  
 Address 33 West Third Street, Suite 300  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming  
 Township(s) Cascade Twp.  
 Receiving Stream(s) and Classification(s) West Branch Wallis Run (HQ-CWF, EV), UNT to West Branch Wallis Run (HQ-CWF, EV)  
 Secondary Receiving Waters: Wallis Run (HQ-CWF, 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 Region: Environmental Cleanup & Brownfields Program Manager, 2 East Main Street, Norristown, PA 19401.*

**Getty 69218**, 51-12152, 8005 Ogontz Ave., **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 Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site specific standards.

**Amoco Gentle Touch**, 23-29806, 306 E. Lancaster Ave., Radnor Township, **Delaware County**. Comstock Environmental Services LLC, P.O. Box 509, Lafayette Hill, PA 19444, on behalf of 1747 Springhouse Rd., Chester Springs, PA 19425 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet nonresidential Statewide health standards.

**Amoco Sta 447**, 23-04437, 2 S. Pennell Rd., Middletown Township, **Delaware County**. Resource Control Consultants Group, Ltd., P.O. Box 180, Moorestown, NJ



08057, on behalf of ARFA Real Estate, 4350 Haddonfield Road, Suite 200, Pennsauken, NJ 08109 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet site specific standards.

**Bob & Weezies Gas Sta.**, 51-43435, 3842 Lancaster Ave., **City of Philadelphia**. Bison Environmental, LLC, 89 Jennifer Lane, Burlington, NJ 08016, on behalf of 3842 Partners LP, 3000 Chestnut Street, Unit 42613, Philadelphia, PA 19101 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with petroleum products. The report is intended to document remediation of the site to meet the site specific standard.

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

**Former Manheim Texaco**, Storage Tank Primary Facility ID # 36-08714, 216 North Main Street, Manheim, PA 17547, Manheim Borough, **Lancaster County**, Aquaterra Technologies, Inc., P.O. Box 744, West Chester, PA 19381, on behalf of Atlas Petro, 7078 Peachtree Industrial Boulevard, Suite 800, Peachtree Corners, GA submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard and the Site-Specific Standard.

**Rutter's Store No. 24**, Storage Tank Primary Facility ID # 67-38001, 2600 Delta Road, Brogue, PA 17309, Chanceford Township, **York County**, United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of CHR Corporation, 2295 Susquehanna Trail, Suite C, York, PA 17404 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Five Gables Amoco**, Storage Tank Primary Facility ID # 05-11046, 5869 Business 220, Bedford, PA 15522, Bedford Township, **Bedford County**, Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Bedford Valley Petroleum, Bedford, PA submitted a revised Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## CORRECTIVE ACTION UNDER ACT 32, 1989

### PREAMBLE 3

**The DEP has taken action on the following plans and reports under the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104).**

Provisions of 25 Pa. Code Chapter 245 Subchapter D, Administration of the Storage Tank and Spill Prevention Program, require the Department of Environmental Protection (DEP) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports.

A remedial action plan is submitted to summarize the site characterization, document the design and construction details for the remedial action, and describe how the remedial action will attain the selected remediation standard. The remedial action plan also provides results of

studies performed and data collected to support the remedial action and a description of postremediation care requirements. A remedial action completion report is submitted to document cleanup of a release of a regulated substance at a site to the selected remediation standard. A remedial action completion report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

The DEP may approve or disapprove plans and reports submitted. This notice provides the DEP's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the DEP Regional Office under which the notice of the plan or report appears. If information concerning a report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the DEP through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The DEP has received the following plans and reports:

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

**Neshaminy Manor Whse**, 09-43458, 1265 Almshouse Rd., Doylestown Township, **Bucks County**. Pine Run Construction, 4125 Landisville Rd, Doylestown, PA 18902, on behalf of Neshaminy Manor Warehouse, 1265 Almshouse Road, Doylestown, PA submitted a SCR 310(b) concerning remediation of soil contaminated with diesel and unleaded gasoline. The SCR310(b) demonstrated attainment of residential Statewide health standards and was approved by the DEP on March 19, 2019.

**Avis Rent A Car**, 51-02335, Avis Rent A Car System, LLC, 6625 Norwitch Drive, **City of Philadelphia**. Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500 Exton, PA 19341, on behalf of Avis Rent A Car Budget Facility, LLC, 6 Sylvan Way, Parsipanny, NJ 07054, 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 March 25, 2019.

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

**Former Roberts Oil**, Storage Tank ID # 40-29639, 370 Main Street, Luzerne Borough, **Luzerne County**. LaBella Associates, 1000 Dunham Drive, Suite B, Dunmore, PA 18512, on behalf of Kamus Construction, 57 Walnut Street, Forty Fort, PA 18704 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with gasoline. The Remedial Action Completion Report demonstrated attainment of the Non-Residential Statewide Health Standards for soil and groundwater and was approved by DEP on March 22, 2019.

**Fast Fill**, Storage Tank ID # 13-07749, 24 Blakeslee Boulevard Drive (Route 443), Lehighon Borough, **Carbon County**. Synergy Environmental, 15 Railroad Plaza, First Floor, Royersford, PA 19468, on behalf of Vista Fuels LLC, RR1, Box 58-16, Andreas, PA 18221 has submitted a combined Site Characterization Report and Remedial Action Plan concerning remediation of soil and groundwater contaminated with gasoline. The combined Site Characterization Report and Remedial Action Plan was not acceptable to meet Residential Statewide Health Standards and was disapproved by DEP on March 25, 2019.

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

**Former Longstown Exxon 18**, Storage Tank Primary Facility ID # 67-17543, 2905 E. Prospect Road, York, PA 17402, Windsor Township, **York County**, Buchart Horn, The Russel E. Horn Building, 445 West Philadelphia Street, P.O. Box 15040, York, PA 17405, on behalf of Shipley Energy, 415 Norway Street, York, PA 17403, submitted a Remedial Action Completion Report concerning remediation of soil with petroleum constituents. The Remedial Action Completion Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 20, 2019.

**Speedway 6769**, Storage Tank Primary Facility ID # 38-22672, 1082 Heidelberg Avenue, Shaefferstown, PA 17088, Heidelberg Township, **Lebanon County**, EMS Environmental, Inc., 4550 Bath Pike, Bethlehem, PA 18017-9010, on behalf of Speedway LLC, 500 Speedway Dr., Enon, OH 45323-1056 submitted a Remedial Action Completion Report concerning remediation of soil con-

taminated with Unleaded Gasoline and Diesel Fuel constituents. The Remedial Action Completion Report demonstrated attainment of the Residential Used Aquifer Statewide Health Standard and was approved by the Department on March 22, 2019.

**Rutter's Store No. 16**, Storage Tank Primary Facility ID # 67-26955, 4430 West Main Street, York, PA 17408, West Manchester Township, **York County**, United Environmental Services, Inc., P.O. Box 701, Schuylkill Haven, PA 17972, on behalf of CHR Corporation, 2295 Susquehanna Trail, Suite C, York, PA 17404 submitted a Remedial Action Plan concerning remediation of soil and groundwater contaminated with petroleum constituents. The Remedial Action Plan was not acceptable to meet the Statewide Health Standard and was disapproved by the Department on March 25, 2019.

**Mechanicsburg North Terminal**, Storage Tank Primary Facility ID # 21-00827, 125 Texaco Road, Mechanicsburg, PA 17050, Silver Spring Township, **Cumberland County**, Groundwater Services International, Inc., 443 McCormick Road, Mechanicsburg, PA 17055, on behalf of Lucknow Highspire Terminals, LLC, P.O. Box 2621, Harrisburg, PA 17105 submitted a Remedial Action Completion Report concerning remediation of soil and groundwater contaminated with benzene, toluene, ethylbenzene, naphthalene, isopropylbenzene (cumene), fluorene, and phenanthrene. The report is intended to document remediation of the site to meet the Non-Residential, Site-Specific Standard. The Remedial Action Completion Report did not demonstrate attainment of the Site-Specific Standard and was disapproved by the Department on March 26, 2019.

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**SPECIAL NOTICES**

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**SEWAGE FACILITIES ACT PLAN APPROVAL**

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**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P.L. 1535, as amended, 35 P.S. § 750.5.**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Shinglehouse Borough Sharon Township	P.O. Box 106 Shinglehouse, PA 16748 1972 State Route 44 South Shinglehouse, PA 16748	Potter

*Plan Description:* The approved plan calls for Shinglehouse Borough, whose public sewage facilities also serve a small portion of Sharon Township, to upgrade their existing wastewater treatment plant and change their wastewater treatment process to the use of an MLE Oxidation Ditch. The proposed project is to be completed in phases, within the next ten years, and is estimated to cost approximately \$2,795,000. Shinglehouse Borough intends to utilize PENNVEST, RUS, and other funding/grant options to finance the project. The Department of Environmental Protection's review of the sewage facilities update has not identified any significant environmental impacts resulting from the proposed plan. Any required NPDES Permits or WQM Permits must be obtained in the name of Shinglehouse Borough.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Rush Township	P.O. Box 152 Philipsburg, PA 16866	Centre

*Plan Description:* The submitted plan was denied since it was administratively incomplete. The submitted plan calls for the creation of a new collection and conveyance system that will tie into the Osceola Rush Decatur (ORD) Sewer Authority system. The proposed collection system is to serve a portion of the Route 350 Corridor, from Glass City to the Twigg Settlement and is to be permitted, constructed, owned and operated by the ORD Sewer Authority.

### **Proposed State Water Quality Certification**

#### **Required by Section 401 of the Clean Water Act and General Permit Registration Package for the Supply Header Project Amendment # 2**

*Southwest Region: Waterways & Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222, Dana Drake, P.E., 412.442.4149.*

**WQ05-014-A2, Dominion Energy Transmission, Inc. (DETI) (Applicant)**, 5000 Dominion Boulevard, Glen Allen, VA 23060. Supply Header Project Second Amendment (Project), in the City of Murrysville and Salem Township, **Westmoreland County**, Pittsburgh ACOE District. The second project amendment includes changes along the 3.9 mile pipeline route, which starts northwest of Delmont (Slickville, PA Quadrangle; N: 40° 25' 22.66"; W: 79° 35' 32.22") and extends northwest to DETI's existing JB Tonkin Compressor Station (Murrysville, PA Quadrangle; N: 40° 27' 46.96"; W: 79° 38' 25.88").

The previously referenced information relates to a second amendment to the Supply Header Project (Project) which was previously reviewed under DEP File No. WQ05-014, the history of which is detailed as follows:

#### **Initial State Water Quality Certification for Project**

On September 18, 2015, Applicant filed an application with the Federal Energy Regulatory Commission (FERC) under Section 7 of the Natural Gas Act (15 U.S.C.A. § 717f) seeking a certificate of public convenience and necessity to construct and operate its Project (FERC Docket No. CP15-555-000). The FERC final Environmental Impacts Statement for the Project, which was issued on July 21, 2017, may be viewed on FERC's website at [www.ferc.gov](http://www.ferc.gov) (search eLibrary; Advanced Search; Access Number 20170721-3017).

On April 4, 2017, Applicant requested a State water quality certification from the Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the Project will protect water quality in this Commonwealth through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

On November 21, 2017, State water quality certification was granted.

The previously approved Project (DEP File # WQ05-014) was described as follows:

The Project includes approximately 3.9 miles of 30-inch diameter natural gas pipeline loop (TL-636) adjacent to the Applicant's existing LN-25 pipeline (E65-800) in Westmoreland County. The project also includes modifications to the existing JB Tonkin Compressor Station in Westmoreland County and modifications to the existing Crayne Compressor Station in Greene County. The Project will require approximately 81.1 acres of earth disturbance, impacts to 1,143 linear feet of unnamed tributaries

to Turtle Creek (TSF), Kemerer Hollow (HQ-CWF) and its unnamed tributaries, Steels Run (HQ-CWF) and its unnamed tributaries, and Haymakers Run (HQ-CWF) and its unnamed tributaries, 0.31 acre of floodway, 0.40 acre of temporary wetland impacts (0.2 acre PEM/0.2 acre PFO), and 0.67 acre of permanent wetland impacts (0.23 acre PFO/0.44 acre PEM).

By order issued October 13, 2017, in Docket No. CP15-555-000 (Order), the Federal Energy Regulatory Commission (FERC) authorized Dominion Energy Transmission, Inc. to construct and operate its proposed Project subject to conditions specified in the Order. The Project includes the construction of pipeline, compression, and ancillary facilities.

#### **State Water Quality Certification for First Amendment**

FERC issued a notice to proceed for mechanized tree clearing and site grading at the JB Tonkin Compressor Station on February 12, 2018 (FERC Accession Number 20180212-3034). DETI intends to submit a variance to the FERC requesting the additional workspace included in this modification when all permit modification approvals have been received.

On March 29, 2018, Applicant requested a State water quality certification from the Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of the project amendment will protect water quality in this Commonwealth through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

On September 26, 2018, State Water Quality Certification was granted for this project amendment. The previously approved Project Amendment (DEP File No. Q05-014-A1) was described as follows:

The Project Amendment included the addition of 2.74 acres of temporary workspace north of the existing JB Tonkin compressor Station in Murrysville Borough, Westmoreland County, (Murrysville, PA Quadrangle; N: 40° 27' 51.13"; W: 79° 38' 26.47"). The area has been surveyed for wetlands and waterbodies and no features were identified. Therefore, no additional direct stream or wetland impacts are proposed. UNT to Haymakers Run (HQ-CWF) is adjacent to the site but will not be impacted by the additional temporary workspace as long as all required Erosion and Sedimentation controls are properly implemented.

#### **Current Request for Multiple Authorizations for Second Project Amendment**

On November 1, 2018, Applicant requested a State water quality certification from the Department of Environmental Protection (Department), as required by Section 401 of the Clean Water Act (33 U.S.C.A. § 1341), to ensure that the construction, operation and maintenance of this Second Project Amendment will protect water quality in this Commonwealth through compliance with State water quality standards and associated State law requirements, which are consistent with the requirements of the Clean Water Act.

In addition, the Applicant submitted a General Permit Registration Package, seeking acknowledgement from the Department, of the Applicant's use of General Permits No. 5, 7 and 8 [GP056505218-001, GP076505218-001, GP086505218-001], to construct and maintain several

utility line stream crossings, minor road crossings and temporary road crossings, respectively, in accordance with the Departments Chapter 105 rules and regulations.

On March 21, 2019, the Department received an application for an ESCGP-3 Permit [File No. ESG 00 129 17 0001 (1)], after it was deemed to be complete by the Westmoreland Conservation District.

The Second Project Amendment, as proposed, includes a new access road, pipeline center line adjustments, and adjusted construction workspace in various locations. These proposed changes will result in the following adjustments to the project's overall, cumulative impacts: 0.66 acre of permanent wetland impacts (net decrease of 0.01 acre), including conversion impacts to 0.16 acre of PFO wetland (net decrease of 0.07 acre), 0.43 acre of temporary wetland impacts (net increase of 0.03 acre), 889 linear feet (lf) of permanent impacts to watercourses from pipeline utility line crossings (net decrease of 34 lf), 1,648 lf of temporary impacts to watercourses from pipeline utility line crossings (net decrease of 78 lf), and 220 linear feet (lf) of permanent impacts to watercourses from access road crossings (net decrease of 18 lf).

The Department is proposing to issue a State water quality certification to Applicant for the Project that will require compliance with the following State water quality permitting programs, criteria and conditions established pursuant to State law to ensure the Project does not violate applicable State water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—Applicant shall obtain and comply with a Department National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001), and all applicable implementing regulations (25 Pa. Code Chapter 92a).

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

3. *Water Obstruction and Encroachment Permits*—Applicant shall obtain and comply with a Department Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.), and all applicable implementing regulations (25 Pa. Code Chapter 105).

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

5. *Operation*—Applicant shall at all times properly operate and maintain all Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this State Water Quality Certification and all required permits, authorizations and approvals. Proper operation and maintenance includes adequate

laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Applicant.

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

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

8. *Correspondence*—All correspondence with and submittals to the Department concerning this State Water Quality Certification shall be addressed to: Department of Environmental Protection, Program Manager, Waterways and Wetlands Program, 400 Waterfront Drive, Pittsburgh, PA 15222.

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

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

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

Prior to issuance of the final State water quality certification, the Department will consider all relevant and timely comments, suggestions or objections submitted to the Department within 30 days of this notice. Comments should be directed to Dana Drake, P.E., Waterways and Wetlands Program Manager at the previously listed address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted.

[Pa.B. Doc. No. 19-493. Filed for public inspection April 5, 2019, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Interstate Pollution Transport Reduction; Final 2019 Ozone Season Nitrogen Oxide Emission Limits for Nonelectric Generating Units

The Department of Environmental Protection (Department) is providing notice for the final Nonelectric Generating Unit (non-EGU) 2019 Ozone Season Nitrogen Oxide (NO<sub>x</sub>) emission limitations established in accordance with 25 Pa. Code § 145.8(d) (relating to transition to CAIR NO<sub>x</sub> trading programs).

Notice of the proposed NO<sub>x</sub> emission limitations was published at 49 Pa.B. 779 (February 16, 2019) to allow for a 17-day public comment period, which closed on March 4, 2019. The Department received two comments during the public comment period. The two comments indicated NO<sub>x</sub> emission errors in Table 1 of the proposed notice. The Department has corrected the errors in Table 1. The Department provided each of the affected companies with the updated non-EGU NO<sub>x</sub> emission limits by e-mail. The corrections are finalized in Table 1 as follows.

In Table 1 as follows, which lists non-EGU 2019 ozone season NO<sub>x</sub> emission limits, PH Glatfelter's facility name has changed since the 2018 ozone season non-EGU NO<sub>x</sub> emission limits notice to Pixelle Specialty Solutions. Additionally, two new units, referred to as units 38 and 39, update and replace previous units 34 and 35 in Table 1 for this same facility.

United Refining Boiler No. 4 has been removed from Table 1. The boiler is no longer operational and has been permanently out of service at the facility since February 2018.

Actual Statewide NO<sub>x</sub> emissions in 2018 from non-EGUs were 815 tons. That is 2,623 tons below the 3,438-ton NO<sub>x</sub> State Implementation Plan call budget. Actual NO<sub>x</sub> emissions from all the non-EGUs are expected to be similar in 2019, and thus, the Statewide budget is not expected to be exceeded. Owners of affected units do not need to obtain and surrender NO<sub>x</sub> allowances if the total emissions from the affected non-EGUs remain below 3,438 tons for the ozone season.

The NO<sub>x</sub> emission cap provides 181 tons of emissions for non-EGUs and the other units that need to address their emissions through accounting adjustments, including units that previously participated in the NO<sub>x</sub> Budget Trading Program. The Department may use a portion of

the 181 tons of the budgeted NO<sub>x</sub> emissions, if necessary, to address mistakes or miscalculations. This year, the Department is not using any of the 181 tons of NO<sub>x</sub> for accounting adjustments or to make corrections.

The following "Final Non-EGU 2019 Ozone Season NO<sub>x</sub> Emission Limits" table lists the following: the facility name, ORIS code, the unit ID for each non-EGU unit, the 2018 NO<sub>x</sub> mass or the 2018 Ozone Season emissions, the 2018 heat input for the 2018 Ozone Season, the county location of the facility, the calculated 2019 rate and the 2019 Ozone Season (OS) limit.

Questions concerning this notice should be directed to Randy Bordner at [ranbordner@pa.gov](mailto:ranbordner@pa.gov) or (717) 772-3921. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Persons aggrieved by this action may appeal the 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 (relating to Administrative Agency Law). The Board's address is Environmental Hearing Board, Rachel Carson State Office Building, Second Floor, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457.

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. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A notice of appeal form and the Board's rules of practice and procedure may be obtained at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at (717) 787-3483. The notice of appeal form and the Board's rules are also available in Braille and on audiotape from the Secretary to the Board.

Important legal rights are at stake. 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. Individuals do not need a lawyer to file a notice of appeal with the Board.

For individuals who wish to challenge this action, their appeal must be filed with and received by the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

**Table 1: Final Non-EGU 2019 Ozone Season NO<sub>x</sub> Emission Limits**

Facility Name	ORIS Code	Unit ID	2018 NO <sub>x</sub> Mass (Tons)	Heat Input MMBtu	County	2019 Rate (lbs/MMBtu)	2019 OS Limit (Tons NO <sub>x</sub> )
Armagh Compressor Station	880071	31301	0	0	Indiana	0.26	0
Bernville Station	880049	32001	0.001	2	Berks	0.26	0
Domtar Paper Company, LLC	54638	40	19.688	847,059.7	Elk	0.26	109
Domtar Paper Company, LLC	54638	41	19.524	832,941.6	Elk	0.26	107
Entriiken Compressor Station	880072	31601	0	0	Huntingdon	0.26	0
Honeywell Resins & Chemicals LLC	880007	52	28.39	718,832.6	Philadelphia	0.26	92

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>2018 NO<sub>x</sub> Mass (Tons)</i>	<i>Heat Input MMBtu</i>	<i>County</i>	<i>2019 Rate (lbs/MMBtu)</i>	<i>2019 OS Limit (Tons NO<sub>x</sub>)</i>
Kimberly-Clark Tissue Company	50410	34	30.544	40,715	Delaware	0.26	5
Kimberly-Clark Tissue Company	50410	35	87.858	1,936,177	Delaware	0.26	249
Marcus Hook 50, LP	50074	1	0.286	1,086.425	Delaware	0.26	0
Merck & Company—West Point	52149	39	10.444	254,945	Montgomery	0.26	33
Merck & Company—West Point	52149	40	16.98	1,357,289	Montgomery	0.26	174
Philadelphia Refinery	52106	150137	19.381	1,105,539	Philadelphia	0.26	142
Philadelphia Refinery	52106	150138	0	0	Philadelphia	0.26	0
Philadelphia Refinery	52106	150139	16.44	936,041.4	Philadelphia	0.26	120
Philadelphia Refinery	52106	150140	21.467	1,222,834	Philadelphia	0.26	157
Philadelphia Refinery	52106	150145	1.122	477,908.7	Philadelphia	0.26	61
Pixelle Specialty Solutions	50397	36	99.358	1,335,896	York	0.26	172
Pixelle Specialty Solutions	50397	38	9.644	661,593.3	York	0.26	85
Pixelle Specialty Solutions	50397	39	8.229	520,691	York	0.26	67
Procter & Gamble Paper Products	50463	328001	115.91	1,913,920	Wyoming	0.26	246
Procter & Gamble Paper Products	50463	328002	8	2,083,315	Wyoming	0.26	268
SPMT Marcus Hook Industrial Complex	880107	AB01	9.274	722,806.7	Delaware	0.26	93
SPMT Marcus Hook Industrial Complex	880107	AB02	0	0	Delaware	0.26	0
SPMT Marcus Hook Industrial Complex	880107	AB03	4.497	401,233.9	Delaware	0.26	52
SPMT Marcus Hook Industrial Complex	880107	AB04	3.835	478,862.9	Delaware	0.26	62
Shermans Dale Station	880050	31801	0.005	15	Perry	0.26	0
Trainer Refinery	880025	34	1.638	752,321.4	Delaware	0.26	97
Trainer Refinery	880025	35	1.736	787,319.6	Delaware	0.26	101
Trainer Refinery	880025	53	0.695	691,033.7	Delaware	0.26	89
US Steel (Clairton Coke)	50729	CLBLR1	160.38	1,571,902	Allegheny	0.26	202
US Steel (Clairton Coke)	50729	CLBLR2	65.853	914,749.9	Allegheny	0.26	118
US Steel (Edgar Thomson)	50732	ETBLR1	14.116	1,026,710	Allegheny	0.26	132
US Steel (Edgar Thomson)	50732	ETBLR2	17.339	1,263,783	Allegheny	0.26	162
US Steel (Edgar Thomson)	50732	ETBLR3	16.279	1,687,667	Allegheny	0.26	217
Veolia Energy Philadelphia—Edison Station	880006	1	0.09	580	Philadelphia	0.26	0
Veolia Energy Philadelphia—Edison Station	880006	2	0	0	Philadelphia	0.26	0

<i>Facility Name</i>	<i>ORIS Code</i>	<i>Unit ID</i>	<i>2018 NO<sub>x</sub> Mass (Tons)</i>	<i>Heat Input MMBtu</i>	<i>County</i>	<i>2019 Rate (lbs/MMBtu)</i>	<i>2019 OS Limit (Tons NO<sub>x</sub>)</i>
Veolia Energy Philadelphia—Edison Station	880006	3	4.073	32,559.1	Philadelphia	0.26	4
Veolia Energy Philadelphia—Edison Station	880006	4	0.276	1,572.3	Philadelphia	0.26	0
Veolia Energy Philadelphia—Schuylkill	50607	23	0	0	Philadelphia	0.26	0
Veolia Energy Philadelphia—Schuylkill	50607	24	0	0	Philadelphia	0.26	0
Veolia Energy Philadelphia—Schuylkill	50607	26	1.22	91,074.19	Philadelphia	0.26	12
Veolia Energy Philadelphia—Schuylkill	50607	RSB1	0.204	41,512.01	Philadelphia	0.26	5
Veolia Energy Philadelphia—Schuylkill	50607	RSB2	0.241	42,191.63	Philadelphia	0.26	5
Totals			815.017	26,754,681			3,438

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 19-494. Filed for public inspection April 5, 2019, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Laboratory Accreditation Advisory Committee Meeting Cancellation

The May 1, 2019, meeting of the Laboratory Accreditation Advisory Committee is cancelled. The next meeting is scheduled for Wednesday, September 4, 2019, at 9 a.m. at the Department of Environmental Protection, Bureau of Laboratories Building, 2575 Interstate Drive, Harrisburg, PA 17110.

Questions concerning the September 4, 2019, meeting should be directed to Aaren S. Alger at [aaalger@pa.gov](mailto:aaalger@pa.gov) or (717) 346-7200. The agenda and meeting materials for future meetings will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.pa.gov> (select "Public Participation," then "Advisory Committees," then "Lab Accreditation Advisory Committee").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Aaren Alger at (717) 346-8212 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 19-495. Filed for public inspection April 5, 2019, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Notice for Extension of Public Comment Period for PFAS Public Input

The Department of Environmental Protection (Department) announces that the public comment period for PFAS Public Input has been extended through Wednesday, May 1, 2019. The PFAS Action Team will accept public comments through the Department's eComment tool at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). All comments must include the originator's name and address.

Questions regarding this comment period should be directed to the Policy Office at [RA-EPThePolicyOffice@pa.gov](mailto:RA-EPThePolicyOffice@pa.gov) or (717) 783-8727. When submitting questions by e-mail, use "PFAS Comment Period" in the subject line.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 19-496. Filed for public inspection April 5, 2019, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Recycling Grant Award under the Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101; Corrected Applicant Name**

The Department of Environmental Protection awards grants to municipalities for recycling programs under section 902 of the Municipal Waste Planning, Recycling and Waste Reduction Act (act) (53 P.S. § 4000.902). These awards were previously published at 48 Pa.B. 6930 (October 27, 2018), but contained an incorrect applicant name for one of the awards. The following award indicates the corrected applicant name.

Grant funds are used to develop and implement recycling programs. Municipalities and counties are eligible for up to 90% funding of approved recycling program costs. Municipalities considered financially distressed by the Department of Community and Economic Development under the Municipalities Financial Recovery Act (53 P.S. §§ 11701.101—11701.712), also known as the Financially Distressed Municipalities Act, are eligible for 100% of approved costs. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of the act (53 P.S. §§ 4000.701 and 4000.702) and the availability of moneys in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mark Vottero, Recycling Grants Coordinator, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P.O. Box 8472, Harrisburg, PA 17105-8472.

<i>Municipality/County</i>		<i>Project</i>	<i>Award</i>
<i>Northcentral Region</i>			
152	Potter County Potter County	Drop-off Recycling Program	\$79,155

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 19-497. Filed for public inspection April 5, 2019, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Water Resources Advisory Committee Meeting**

The Water Resources Advisory Committee (Committee) will hold an additional meeting on Thursday, April 18, 2019. The meeting will begin at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The next regular Committee meeting is scheduled for Thursday, May 23, 2019, at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning the Committee meetings can be directed to Diane Wilson, Bureau of Clean Water at diawilson@pa.gov or (717) 787-3730. The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.pa.gov> (select "Public Participation," then "Advisory Committees," then "Water Advisory Committees," then "Water Resources Advisory Committee").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 787-3730 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 19-498. Filed for public inspection April 5, 2019, 9:00 a.m.]

**DEPARTMENT OF HEALTH**

**Division of Human Immunodeficiency Virus (HIV) Disease Stakeholder Engagement Townhall Meeting**

The Department of Health (Department), Division of HIV Disease, in order to carry out its Federal grant responsibilities under section 2616 of the Ryan White Comprehensive AIDS Resource Emergency Act of 1990 (42 U.S.C.A. § 300ff-26), will hold a public meeting on Tuesday, April 23, 2019, from 2:30 p.m. to 6:30 p.m. at the Omni William Penn Hotel, 530 William Penn Place, Pittsburgh, PA 15219.

This meeting is one of a series of stakeholder engagement meetings being held by the Department that will do the following: (1) allow the Department and the HIV Planning Group (HPG) to interact with a greater number of providers and consumers of HIV prevention and care services and learn more about specific HIV-related needs and organizations in this Commonwealth; (2) provide an opportunity to explain the Integrated HIV Prevention and Care Project (IHPCP) and the work of the HPG to wider and more diverse audiences across this Commonwealth; and (3) record stakeholder and consumer feedback on the IHPCP and current community needs.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Kyle Fait, Special Pharmaceutical Benefits Program, Bureau of Communicable Diseases, Department of Health, Room 611, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 260-8929, 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).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 19-499. Filed for public inspection April 5, 2019, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P.L. 419, No. 140) (35 P.S. § 6204), will hold its quarterly public meeting on Friday, April 19, 2019, from 10 a.m. to 1 p.m. The purpose of the meeting is to discuss new and ongoing issues relating to treatment of chronic renal disease and the Department of Health's programs related to care and treatment. The meeting will be held in Conference Room 907, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Tara Trego, Director, Division of Child and Adult Health Services, 7th Floor East, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 772-2762, 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).

This meeting is subject to cancellation without notice.

RACHEL L. LEVINE, MD,  
*Secretary*

[Pa.B. Doc. No. 19-500. Filed for public inspection April 5, 2019, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Transportation Advisory Committee Meeting

The Transportation Advisory Committee will hold a meeting on Thursday, April 11, 2019, from 10 a.m. to 12 p.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information contact the Office of the State Transportation Commission, (717) 787-2913, RA-PennDOTSTC@pa.gov.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 19-501. Filed for public inspection April 5, 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, March 21, 2019, and announced the following:

*Action Taken—Regulation Approved:*

Pennsylvania Gaming Control Board # 125-204: Four Card Prime and Cajun Stud; Table Game Rules of Play (amends 58 Pa. Code §§ 682a and 683a)

Environmental Quality Board # 7-523: Noncoal Mining Program Fees (amends §§ 77.1 and 77.106 of 25 Pa. Code Chapter 77)

### Approval Order

Public Meeting Held  
March 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 Gaming Control Board  
Four Card Prime and Cajun Stud;  
Table Game Rules of Play  
Regulation No. 125-204 (# 3164)*

On March 1, 2017, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking amends 58 Pa. Code §§ 682a and 683a. The proposed regulation was published in the March 11, 2017 *Pennsylvania Bulletin* with a public comment period ending on April 10, 2017. The final-form regulation was submitted to the Commission on February 15, 2019.

This rulemaking will add two new table games, Four Card Prime and Cajun Stud, to the complement of games available for patron play in the Commonwealth.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. §§ 1202(b)(30) and 13A02(1) and (2)) 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  
March 21, 2019

*Commissioners Voting:* George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board  
Noncoal Mining Program Fees  
Regulation No. 7-523 (# 3190)*

On January 17, 2018, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking amends §§ 77.1 and 77.106 of 25 Pa. Code Chapter 77. The proposed regulation was published in the February 3, 2018 *Pennsylvania Bulletin* with a public comment period ending on March 5, 2018. The final-form regulation was submitted to the Commission on February 15, 2019.

This final-form rulemaking increases permit application fees and annual administration fees to support the noncoal mining program.

We have determined this regulation is consistent with the statutory authority of the EQB (52 P.S. §§ 3207(a) and 3311(a) and 35 P.S. § 691.6) 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. 19-502. Filed for public inspection April 5, 2019, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
57-315	Pennsylvania Public Utility Commission Standards and Billing Practices for Residential Public Utility Service	3/18/19	4/18/19

GEORGE D. BEDWICK,  
*Chairperson*

[Pa.B. Doc. No. 19-503. Filed for public inspection April 5, 2019, 9:00 a.m.]

## INSURANCE DEPARTMENT

### **Alleged Violation of Insurance Laws; Doung T. King and Adoniram Insurance Agency, Inc.; Doc. No. SC19-03-016**

Notice is hereby given of the Order to Show Cause issued on March 27, 2019, by the Deputy Insurance Commissioner in the previously-referenced matter. Violation of the following is alleged: sections 611-A(4), (7) and (20) and 674-A of The Insurance Department Act of 1921 (40 P.S. §§ 310.11(4), (7) and (20) and 310.74).

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 Joseph Korman, Agency ADA Coordinator, at (717) 705-4194.

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 19-504. Filed for public inspection April 5, 2019, 9:00 a.m.]

## INSURANCE DEPARTMENT

### **Autism Spectrum Disorders Coverage—Maximum Benefit Adjustment; Notice 2019-01**

Section 635.2 of The Insurance Company Law of 1921 (40 P.S. § 764h) requires:

After December 30, 2011, the Insurance Commissioner shall, on or before April 1 of each calendar year, publish in the *Pennsylvania Bulletin* an adjustment to the maximum benefit equal to the change in the United States Department of Labor Consumer Price Index for All Urban Consumers (CPI-U) in the preceding year, and the published adjusted maximum benefit shall be applicable to the following calendar years to health insurance policies issued or renewed in those calendar years.

The CPI-U change for the year preceding December 30, 2018, was an increase of 1.9%. Accordingly, the maximum benefit, previously adjusted to \$40,501 per year, is hereby adjusted to \$41,271 for policies issued or renewed in calendar year 2020.

Questions regarding this notice may be directed to the Bureau of Life, Accident and Health, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, [ra-rateform@pa.gov](mailto:ra-rateform@pa.gov).

JESSICA K. ALTMAN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 19-505. Filed for public inspection April 5, 2019, 9:00 a.m.]

## INSURANCE DEPARTMENT

### MedAmerica Insurance Company; Rate Increase Filing for Several Individual LTC Forms (MILL-131786278)

MedAmerica Insurance Company is requesting approval to increase the premium an aggregate 36.1% on 260 policyholders with the following individual LTC policy form numbers: 14515-PA and 14785-PA. The increase will average 36.1% but individual policyholders can receive increases ranging from 0% to 66.7%.

Unless formal administrative action is taken prior to June 20, 2019, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov) (hover the cursor over the "Consumers" tab, then select "Long Term Care Rate Filings").

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JESSICA K. ALTMAN,  
Insurance Commissioner

[Pa.B. Doc. No. 19-506. Filed for public inspection April 5, 2019, 9:00 a.m.]

## MILK MARKETING BOARD

### Proposed Amendments to 7 Pa. Code Chapter 143; Transactions Between Dealers and Producers; Public Hearing

The Milk Marketing Board (Board) will conduct a public hearing on May 1, 2019, at 1:15 p.m. in Room 309, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and comments regarding proposed amendments to 7 Pa. Code Chapter 143 (relating to transactions between dealers and producers). The proposed amendments relate to cooperatives providing a line item on monthly statements to their dairy farmer members listing the amount of the Board over-order premium paid, under sections 301, 307 and 608 of the Milk Marketing Law (31 P.S. §§ 700j-301, 700j-307 and 700j-608).

Interested persons wishing to offer testimony or comments shall provide to the Board notification of their wish to participate either electronically to [deberly@pa.gov](mailto:deberly@pa.gov) or by filing at the Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110 by 2 p.m. on April 19, 2019.

A draft of the proposed amendments will be available on the Board's web site at <https://www.mmb.pa.gov/Public%20Hearings/Pages/default.aspx> on or before April 12, 2019.

TIM MOYER,  
Secretary

[Pa.B. Doc. No. 19-507. Filed for public inspection April 5, 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 April 22, 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-2019-3008492. Kingdom Care Transportation, LLC** (1242 Pratt Street, Philadelphia, PA 19124) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the City and County of Philadelphia, to points in Pennsylvania, and return.

**A-2019-3008337. Tejeddine Direct Care Services, LLC** (1003 Cottman Avenue, Floor 1, Philadelphia, Philadelphia County, PA 19111) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, in wheelchairs from points in the City and County of Philadelphia, to points in the Counties of Bucks, Chester, Delaware, Lehigh, Montgomery and Northampton. *Attorney:* Michael V. Di Girolamo, Esquire, Timoney Knox, LLP, 400 Maryland Drive, P.O. Box 7544, Fort Washington, PA 19034-7544.

#### 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-2019-3008590. Adamo Limousine, Ltd.** (2222 Sullivan Trail, Easton, PA 18040) discontinuance to transport, as a common carrier at A-00115789, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Lehigh, Northampton and Montgomery, to points in Pennsylvania, and return.

**A-2019-3008591. Adamo Limousine, Ltd.** (2222 Sullivan Trail, Easton, PA 18040) discontinuance to transport, as common carrier at A-00115789, by motor vehicle, persons in limousine service, between points in those portions of the Counties of Berks, Chester, Lehigh, Montgomery, Northampton and Philadelphia, which are within an airline distance of 40 statute miles of the limits of the Township of Doylestown, Bucks County, and from said points, to the Philadelphia International Airport, and vice versa.

**A-2019-3008721. King's Coach Luxury Transportation, LLC** (137 King Street, East Stroudsburg, PA 18301) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, authorizing the transportation of persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Wyoming, Luzerne, Lackawanna, Susquehanna, Bradford and Sullivan, to points in Pennsylvania, and return; excluding service under the jurisdiction of the Philadelphia Parking Authority.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 19-508. Filed for public inspection April 5, 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 April 22, 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. Two Sisters Logistics, LLC; Docket No. C-2019-3008403

#### 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 Two Sisters Logistics, LLC, (respondent) is under suspension effective February 28, 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 2548, Hazleton, PA 18201.
3. That respondent was issued a Certificate of Public Convenience by this Commission on September 12, 2018, at A-8921014.
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 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8921014 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 3/12/2019

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  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. Do not call this number if you have questions as to why you received this complaint. For those questions, you may call 717-783-3847.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 19-509. Filed for public inspection April 5, 2019, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Transfer by Sale; Abandonment of Service; Abandonment of all Electric Distribution Service; Right to Initiate and Provide Service; Other Approvals

**A-2019-3008827 and A-2019-3008828. PPL Electric Utilities Corporation and Citizens' Electric Company of Lewisburg, PA.** Joint application of PPL Electric Utilities Corporation and Citizens' Electric Company of Lewisburg, PA for all of the necessary authority, approvals and certificates of public convenience for: (1) the transfer by sale of facilities, rights-of-way, easements, agreements, customer lists and other property in West Chillisquaque Township, Northumberland County by Citizens' to PPL Electric; (2) Citizens' abandonment of service to all of its customers in West Chillisquaque Township, Northumberland County; (3) Citizens' abandonment of all electric distribution service in West Chillisquaque Township, Northumberland County; (4) PPL Electric's right to initiate and provide service in the portions of West Chillisquaque Township, Northumberland County currently served by Citizens'; and (5) any other approvals necessary to complete the contemplated transaction.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before Monday, April 22, 2019. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicants:* PPL Electric Utilities Corporation; Citizens' Electric Company of Lewisburg, PA

*Through and By Counsel for PPL Electric Utilities Corporation:* David B. MacGregor, Esquire, Devin T. Ryan, Esquire, Garrett P. Lent, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601; Kimberly A. Klock, Esquire, Michael J. Shafer, Esquire, PPL Services Corporation, Office of General Counsel, Two North Ninth Street, Allentown, PA 18101

*Through and By Counsel for Citizens' Electric Company:* Pamela C. Polacek, Esquire, Adeolu A. Bakare, Esquire, McNees Wallace & Nurick, LLC, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 19-510. Filed for public inspection April 5, 2019, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Transmission Lines; Prehearing Conference

**A-2019-3008589. Duquesne Light Company.** Application of Duquesne Light Company filed under 52 Pa. Code Chapter 57, Subchapter G (relating to Commission review of siting and construction of electric transmission lines) for approval of the siting and construction of the 138 kV transmission lines associated with the Brunot Island-Crescent Project in the City of Pittsburgh, McKees Rocks Borough, Kennedy Township, Robinson Township, Moon Township and Crescent Township, Allegheny County.

**A-2019-3008652. Duquesne Light Company.** Application of Duquesne Light Company under 15 Pa.C.S. § 1511(c) (relating to additional powers of certain public utility corporations) for a finding and determination that the service to be furnished by the applicant through its proposed exercise of the power of eminent domain to acquire a certain portion of the lands of George N. Schaefer of Moon Township, Allegheny County for the siting and construction of transmission lines associated with the proposed Brunot Island—Crescent Project is necessary or proper for the service, accommodation, convenience or safety of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before May 29, 2019. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Pennsylvania Public Utility Commission’s (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant’s business address.

*Applicant:* Duquesne Light Company  
*Through and By Counsel:* Anthony D. Kanagy, Esquire, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

### Prehearing Conference

An initial prehearing conference on the previously-captioned cases will be held as follows:

<i>Date:</i>	Thursday, June 6, 2019
<i>Time:</i>	10 a.m.
<i>Location:</i>	2nd Floor Hearing Room Piatt Place Suite 220 301 Fifth Avenue Pittsburgh, PA 15222
<i>Presiding:</i>	Administrative Law Judge Mary D. Long Piatt Place Suite 220 301 Fifth Avenue Pittsburgh, PA 15222 (412) 565-3550 Fax: 412-565-5692

Persons with a disability who wish to attend the hearing should contact the Scheduling Office at the Commission at least 5 business days prior to the hearing.

For persons who require an interpreter to participate in the hearing, the Commission will make every reasonable effort to have an interpreter present. Call the Scheduling Office at the Commission at least 10 business days prior to the hearing.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,  
*Secretary*

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