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# PENNSYLVANIA BULLETIN

Volume 47 Number 52  
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Pages 7823—7914

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Department of Aging  
Department of Agriculture  
Department of Banking and Securities  
Department of Environmental Protection  
Department of Health  
Department of Human Services  
Department of Labor and Industry  
Department of Transportation  
Environmental Quality Board  
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Philadelphia Regional Port Authority  
Public School Employees' Retirement Board  
State Conservation Commission  
State Employee's Retirement Board  
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**Latest Pennsylvania Code Reporter  
(Master Transmittal Sheet):**

**No. 517, December 2017**

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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 every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; 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 repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The Notice of 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. An adopted proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency

wishes to adopt changes to the Notice of 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 and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. 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. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

### **How to Find Documents**

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).

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred. The *Pennsylvania Bulletin* is available at [www.pabulletin.com](http://www.pabulletin.com).

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#### Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

#### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed 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; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; 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; in that order, 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 that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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# THE COURTS

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

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

#### Proposed Amendments to the Pennsylvania Rules of Disciplinary Enforcement Regarding Procedure and Reinstatement

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania (Board) is considering recommending to the Supreme Court of Pennsylvania that it adopt amendments to Pennsylvania Rules of Disciplinary Enforcement (Pa.R.D.E.) 208 and 218 relating to administrative fees assessed in the imposition of attorney discipline and filing fees assessed in reinstatement proceedings, as set forth in Annex A.

At present, Pa.R.D.E. 208(g)(4) allows for the Board to assess an administrative fee of \$250 for the imposition of discipline, except in matters that conclude in an informal admonition. Current Pa.R.D.E. 218(f) provides for a mandatory reinstatement fee of \$300 only in reinstatements from administrative suspension. In discipline matters, pursuant to Pa.R.D.E. 208(g)(1) and (2), the Court and the Board have the authority to direct the respondent to pay the expenses assessed by the Board. In reinstatement matters, pursuant to Pa.R.D.E. 218(f), the Court has the authority to direct the petitioner to pay the expenses assessed by the Board. Historically, these costs include the administrative or reinstatement fee and other charges, including, court reporter fees and transcripts, service of pleadings, briefs, and subpoenas, reproducing documents, and publishing notices of discipline and reinstatement. These costs do not include many other obligations incurred by the Board in the investigation or prosecution of a case.

The proposed amendments, which include fee schedules increasing the administrative and filing fees, would be assessed against respondents and petitioners, in addition to the costs already assessed. The purpose of the proposed administrative fees is an attempt to shift some of the burden of the operation of the disciplinary system to the licensees who transgress from their ethical obligations. The Board suggests it is reasonable to put a heightened burden on the lawyer population that causes the administrative expenses to be incurred.

Proposed amendments to paragraph (g)(4) would provide for mandatory assessment of administrative fees in discipline matters. A proposed fee schedule is set forth in the rule amendment. The assessed fee increases with each level of discipline, beginning with an assessment of \$250 for an informal admonition, the lowest level of discipline, and rising to an assessment of \$2,000 for disbarment, the most severe form of discipline.

Proposed paragraphs (g)(4)(i) and (ii) explain the assessment when a disciplinary proceeding concludes by Joint Petition for Discipline on Consent. Prior to the commencement of a hearing, if the proceeding concludes on consent, the assessed fee is reduced by 50 percent. Where the proceeding concludes on consent after the

commencement of the hearing, the Board has the discretion to reduce the fee by no more than 50 percent.

As for the reinstatement fee, at present, this fee is paid by the petitioner-attorney to the Attorney Registration Office after the Supreme Court reinstates the attorney from administrative suspension. Proposed amendments to paragraph (f)(1) and (f)(2) would provide for mandatory, nonrefundable filing fees in reinstatements from disbarment and suspension for more than one year, from inactive/retired status for more than three years, and from administrative suspension.

Proposed new paragraph (f)(1) would require that at the time of the filing of a petition for reinstatement with the Board, the petitioner-attorney must pay a non-refundable reinstatement filing fee. The amount of the filing fee depends on the type of reinstatement sought by petitioner. The proposed filing fees start at \$250 for reinstatement from inactive or retired status for more than three years and increase to \$1000 for reinstatement from disbarment or suspension for more than one year.

Proposed amendments to paragraph (f)(2) would clarify that following the entry of the Supreme Court order in a reinstatement matter, the annual fee that is required by Rule 219(a) for the current year must be paid to the Attorney Registration Office.

On a related note, last year, of the eighteen petitions filed for reinstatement from discipline, five were withdrawn prior to hearing. Experience suggests that some petitioner-attorneys file for reinstatement and wait to see Office of Disciplinary Counsel's response prior to determining whether to proceed, and in some circumstances withdraw, based on the response. By that point in time, Disciplinary Counsel has already undertaken the thorough investigation required to respond to the petition, spending valuable time and resources. The proposed filing fee will encourage petitioners to take pause prior to filing for reinstatement if they are not certain or intend to "test the waters."

The Board reviewed administrative fees from multiple jurisdictions (based in part on the Administrative Costs and Fees Survey 2011 compiled by the National Organization of Bar Counsel and more recent information received from the National Council of Lawyer Disciplinary Boards). Our research indicates that at least twelve jurisdictions have fixed fees or fee schedules relative to the level of discipline imposed. Arizona and California assess substantially higher fees than proposed herein, with Arizona<sup>1</sup> charging between \$600 and \$6,000, based on the level of discipline, and California<sup>2</sup> charging between \$2,518 and \$21,497, depending on the level of discipline. Of the twelve jurisdictions, at least seven utilize an administrative fee schedule ranging from \$250 up to \$3,000, depending on the level of discipline.<sup>3</sup> The Board's proposed administrative fees in discipline matters align with fees assessed in the majority of these jurisdictions.

<sup>1</sup> <http://www.azbar.org/media/56131/administrative%20order%202011-17%20re%20costs.pdf>

<sup>2</sup> [http://www.statebarcourt.ca.gov/Portals/2/documents/Disc\\_Costs\\_2017\\_2.pdf](http://www.statebarcourt.ca.gov/Portals/2/documents/Disc_Costs_2017_2.pdf)

<sup>3</sup> <https://www.floridabar.org/wp-content/uploads/2017/11/2017-RRFTB-Chapter-3-11-20-17.pdf>; <https://www.ladb.org/Material/Publication/xix.pdf>; <http://www.admbich.org/costs.pdf>; <https://www.judiciary.state.nj.us/attorneys/assets/rules/r1-20.pdf>; <https://www.ncbar.gov/lawyer-discipline/assessment-of-administrative-fees-and-actual-costs/>; [http://www.courts.wa.gov/court\\_rules/?fa=court\\_rules.display&group=ga&set=ELC&ruleid=gaelc1313.09](http://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=ELC&ruleid=gaelc1313.09); <https://www.courts.mo.gov/courts/ClerkHandbooksP2RulesOnly.nsf/c6c6fa99df4993f86256ba50057dcb8/a2984120f52591d86256ca60052120e?OpenDocument>

Further, approximately sixteen jurisdictions assess an initial filing fee for reinstatement matters. Our research indicates that these fees range from a nominal sum up to \$1250.<sup>4</sup> The Board's proposed reinstatement filing fees align with the fees charged in those jurisdictions.

Interested persons are invited to submit written comments by mail or facsimile regarding the proposed amendments to the Office of the Secretary, The Disciplinary Board of the Supreme Court of Pennsylvania, 601 Commonwealth Avenue, Suite 5600, P.O. Box 62625, Harrisburg, PA 17106-2625, Facsimile number (717-231-3381), Email address Dboard.comments@pacourts.us on or before March 6, 2018.

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

JULIA FRANKSTON-MORRIS, Esq.,  
*Secretary*

**Annex A**

**TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS**

**PART V. PROFESSIONAL ETHICS AND CONDUCT**

**Subpart B. DISCIPLINARY ENFORCEMENT**

**CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT**

**Subchapter B. MISCONDUCT**

**Rule 208. Procedure.**

\* \* \* \* \*

(g) *Costs.*

\* \* \* \* \*

(4) The expenses under paragraph (1) or (2) [ may ] shall include an administrative fee [ except that an administrative fee shall not be included where the discipline imposed is an informal admonition ]. The administrative fee [ shall be \$250. ] schedule is as follows:

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

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

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

(h) *Violation of probation.* Where it appears that a respondent-attorney who has been placed on probation has violated the terms of the probation, the Office of

<sup>4</sup> For example: <http://www.kscourts.org/rules/Rule-Info.asp?r1=Rules+Relating+to+Discipline+of+Attorneys&r2=293>; <http://www.supremecourt.ohio.gov/LegalResources/Rules/govbar/govbar.pdf>; [https://isb.idaho.gov/wp-content/uploads/ibcr\\_sec05\\_discipline.pdf](https://isb.idaho.gov/wp-content/uploads/ibcr_sec05_discipline.pdf); <http://www.mass.gov/courts/case-legal-res/rules-of-court/sjc/sjc401.html>; <https://www.nvbar.org/wp-content/uploads/Disciplinary-Rules-of-Procedure-Amended-6.28.17.pdf>.

Disciplinary Counsel may file a petition with the Board detailing the violation and suggesting appropriate modification of the order imposing the probation, including without limitation immediate suspension of the respondent-attorney. A hearing on the petition shall be held within ten business days before a member of the Board designated by the Board Chair. If the designated Board member finds that the order imposing probation should be modified, the following procedures shall apply:

\* \* \* \* \*

**Rule 218. Reinstatement.**

\* \* \* \* \*

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

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

(2) The Supreme Court in its discretion may direct that the necessary expenses incurred in the investigation and processing of the petition for reinstatement be paid by the petitioner-attorney. [ A reinstatement fee of \$300 shall be assessed against a petitioner-attorney who was administratively suspended at the time of the filing of the petition. The ] After the Supreme Court Order is entered, the annual fee required by Rule 219(a) [ and the reinstatement fee, if applicable, ] for the current year shall be paid to the Attorney Registration Office [ after the Supreme Court order is entered ].

\* \* \* \* \*

[Pa.B. Doc. No. 17-2158. Filed for public inspection December 29, 2017, 9:00 a.m.]

**Title 255—LOCAL COURT RULES**

**ADAMS COUNTY**

**Rules of Judicial Administration: Public Access Policy; Administrative Order No. 19A of 2017**

**Order of Court**

And Now, this 13th day of December, 2017, Administrative Order 19 of 2017, entered by this Court on December 12, 2017, is vacated, to be replaced by the following Order.

It Is Hereby Ordered that the following rule be added to the Adams County Rules of Judicial Administration:

**340. Public Access Policy: Case Records of the Trial Courts.**

Pursuant to Section 7.0 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, persons who file documents that contain confidential information as de-

fined by the Policy shall use and file a Confidential Information Form (CIF) in order to comply with the Policy. Parties are expressly prohibited from filing two versions of any document, i.e., a redacted version and an un-redacted version. The forms shall be available in each filing office as well as on the Public Records page of the UJS website at <http://www.pacourts.us/public-records/public-records-forms>.

*It Is Further Directed* that:

a. One copy of this Order shall be forwarded to the Administrative Office of the Pennsylvania Courts via e-mail to [adminrules@pacourts.us](mailto:adminrules@pacourts.us);

b. Upon notification from the AOPC that the local rule is not inconsistent with the policy, two (2) certified copies of this Order together with a computer diskette that complies with the requirement of 1 Pa. Code § 13.11(b), or other compliant format, containing the text of the local rule(s) adopted hereby shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

c. A copy of the proposed local rule(s) shall be published on the 51st Judicial District website;

d. This Order shall be filed in the Office of the Prothonotary of Adams County and a copy thereof shall be filed with the Adams County Clerk of Courts and the Adams County Law Library for inspection and copying;

e. The effective date of the local rule(s) shall be January 6, 2018.

*By the Court*

MICHAEL A. GEORGE,  
*President Judge*

[Pa.B. Doc. No. 17-2159. Filed for public inspection December 29, 2017, 9:00 a.m.]

## BLAIR COUNTY

### Adoption of Local Rule of Judicial Administration 510

#### Order

And Now, this 11th day of December, 2017, It Is Hereby Ordered and Decreed that Blair County Local Rule of Judicial Administration 510 is adopted, effective January 6, 2018.

The Blair County District Court Administrator is Ordered and Directed to do the following:

1) File one (1) copy of these Rules with the Administrative Office of Pennsylvania Courts via email to [adminrules@pacourts.us](mailto:adminrules@pacourts.us).

2) File two (2) paper copies and one (1) electronic copy in a Microsoft Word format only to [bulletin@palrb.us](mailto:bulletin@palrb.us) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Publish these Rules on the Blair County Court website at [www.blairco.org](http://www.blairco.org).

4) File one (1) copy which shall be kept continuously available for public inspection and copying in the Office of Prothonotary of Blair County and the Blair County Law Library.

*By the Court*

ELIZABETH A. DOYLE,  
*President Judge*

### Rule 510. Confidential Information Form.

Pursuant to Section 7 of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, persons who file documents that contain confidential information as defined by the Policy shall use and file the Confidential Information Form in order to comply with the Policy. The form shall be available in each filing office as well as the Public Records page of the UJS website at <http://www.pacourts.us/public-records-policies>.

[Pa.B. Doc. No. 17-2160. Filed for public inspection December 29, 2017, 9:00 a.m.]

## BUCKS COUNTY

### Public Access Policy; Administrative Order No. 88

#### Order

And Now, this 29th day of November, 2017, the following policy will be adopted by the Bucks County Court of Common Pleas to promote the execution of The Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts ("Public Access Policy"). It is hereby *Ordered* and *Decreed* that:

1. "Confidential Information," as defined by the Public Access Policy, shall not be included in any document filed in the Bucks County Court of Common Pleas except on a Confidential Information Form filed contemporaneously with the document.

2. "Confidential Documents," as defined by the Public Access Policy, shall not be filed in the Bucks County Court of Common Pleas unless accompanied by a Confidential Document Form.

3. No document shall be accepted for filing or acted upon by the Court unless it is accompanied by a Certification of Compliance as required by the Public Access Policy.

4. The Confidential Information Form and the Confidential Document Form and the Certification of Compliance Form shall be the standardized forms provided by the Administrative Office of Pennsylvania Courts. These forms shall be available in each filing office as well as the Court's website at [www.buckscounty.org](http://www.buckscounty.org).

5. Failure to comply with the requirements of the Public Access Policy may result in the imposition of sanctions by the Court.

6. This Administrative Order shall become effective on January 6, 2018.

*By the Court*

JEFFREY L. FINLEY,  
*President Judge*

[Pa.B. Doc. No. 17-2161. Filed for public inspection December 29, 2017, 9:00 a.m.]

**CAMBRIA COUNTY****Local Rule of Judicial Administration 213; Misc. No. 2017-4864****Administrative Order**

*And Now*, this 18th day of December 2017, *It Is Hereby Ordered, Directed and Decreed* that the Cambria County Local Rule of Judicial Administration 213, adopted October 5, 2017 and docketed at Misc. No. 2017-3890, is hereby *Rescinded*.

It is further *Ordered, Directed and Decreed* that the Cambria County Court of Common Pleas adopts the following amended Local Rule of Judicial Administration 213 pursuant to the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Court codified at Title 204 of *Pennsylvania Code* Chapter 213, Section 81. 204 Pa. Code § 213.81. This Rule shall become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

The Cambria County District Court Administrator *Is Hereby Ordered and Directed* to:

1) File one (1) copy of this Rule with the Administrative Office of Pennsylvania Courts via e-mail to adminrules@pacourts.us;

2) File two (2) paper copies of this Rule and one (1) computer disk containing the text of this Rule, in both Microsoft Word and PDF formats, with the Legislative Bureau for publication in the *Pennsylvania Bulletin*. In addition a Microsoft Word and PDF copy of the Rule shall be e-mailed to the Bureau at bulletin@palrb.us;

3) Publish this Rule on the Cambria County website www.cambriacounty.pa.gov;

4) Incorporate this Rule into the Cambria County Local Rules of Judicial Administration on www.cambriacounty.pa.gov within thirty (30) days after publication in the *Pennsylvania Bulletin*; and

5) File a copy of this Rule in the Cambria County Prothonotary's Office, where it shall be continuously available for inspection.

*By the Court*

NORMAN A. KRUMENACKER, III,  
*President Judge*

**Cambria County Local Rule of Judicial Administration 213. Confidential Information in Case Documents.**

1) Pursuant to Section 7.0, Subsection C of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Court (Policy) all persons who file documents containing confidential information, as defined in the Policy, shall file in all filing offices two versions of all documents, a Redacted Version and Unredacted Version. The Redacted Version shall not include any information set forth in subsection 7.0 of the Policy while the Unredacted Version shall include this information. 7.0. Redactions must be made in a manner that is visibly evident to the reader. The caption of each document required to be filed in two versions shall indicate whether it is a Redacted Version or Unredacted Version.

2) Only the Redacted Version of any document shall be publicly available.

3) The Policy is codified at Title 204, Chapter 213.81 of the Pennsylvania Code. 204 Pa. Code § 213.81. The

Policy may also be viewed in the *Pennsylvania Bulletin* and at <http://www.pacourts.us/public-records/public-records-policies>.

4) Unless required by applicable authority, the confidential information to be redacted includes all information listed in Section 7.0A of the Policy:

a. Social Security Numbers;

b. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified;

c. Driver License Numbers;

d. State Identification (SID) Numbers;

e. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter. See, 42 Pa.C.S. § 6355; and

f. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for the victim's name.

[Pa.B. Doc. No. 17-2162. Filed for public inspection December 29, 2017, 9:00 a.m.]

**CARBON COUNTY****Amendment of 56th Judicial District—Constable Manual; No. CP-13-AD-0000009-2017****Administrative Order No. 14-2017**

*And Now*, this 28th day of November, 2017, it is hereby *Ordered and Decreed*, that the Carbon County Court of Common Pleas *Amends* the Constable Manual, Section IV, governing Compensation procedures by adding the following subsections:

IV.B.3. *Unsuccessful Service*—Constables shall be paid the standard rate of \$2.50 per warrant for unsuccessful service which shall be evidenced by a properly completed return of service form.

IV.D.4. Mileage reimbursement for unsuccessful service is not authorized.

The Carbon County District Court Administrator is *Ordered and Directed* to:

1. File one (1) copy electronically to adminrules@pacourts.us of this Administrative Order and Manual with the Administrative Office of Pennsylvania Courts.

2. File two (2) paper copies and one (1) electronic copy in a Microsoft Word format to bulletin@palrb.us with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Publish the Rule on the Carbon County Court website at <http://www.carboncourts.com>.

4. Forward one (1) copy for publication in the *Carbon County Law Journal*.

5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of the Administrative Order and Constable Manual in the Clerk of Courts Office.

7. Incorporate into the Manual no later than thirty (30) days after publication in the *Pennsylvania Bulletin* with

this Court's complete set of Rules of Court published at <http://www.carboncourts.com>.

*By the Court*

ROGER N. NANOVIC,  
*President Judge*

[Pa.B. Doc. No. 17-2163. Filed for public inspection December 29, 2017, 9:00 a.m.]

**COLUMBIA AND MONTOUR COUNTIES**  
**Business of the Courts; Case No. X of 2017**

**Order**

*And Now*, this 15th day of November, 2017, it is hereby *Ordered And Decreed* that L.R. No. 1930.1 Public Access, L.R. No. 101 Confidential Information, and L.R. No. 102 Confidential Documents, shall be adopted to the 26th Judicial District's Local Rules of Judicial Administration, adopted for use in both Columbia, and Montour Counties, Court of Common Pleas of the 26th Judicial District, Commonwealth of Pennsylvania, and shall become effective January 6th, 2018 after publication in the *Pennsylvania Bulletin*.

The 26th Judicial District Court Administrator is Ordered and Directed to do the following:

1) File one (1) copy to the Administrative Office of Pennsylvania Courts via e-mail to [adminrules@pacourts.us](mailto:adminrules@pacourts.us).

2) Forward two (2) paper copies and one (1) electronic copy in a Microsoft Word format to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Publish the local rules on the court's website to be incorporated into the set of local rules on the website within 30 days after the publication of the local rules in *Pennsylvania Bulletin*.

4) File one copy of the local rules in the appropriate filing offices for public inspection and copying.

*By the Court*

HONORABLE THOMAS A. JAMES, Jr.,  
*President Judge*

**L.R. 1930.1. Public Access.**

Attorneys and self-represented parties shall comply with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts and Local Rules of Judicial Administration 101 and 102.

**L.R. 101. Confidential Information.**

A. In accordance with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, attorneys and self-represented parties shall not include the following confidential information in any document filed with the appropriate filing office (Prothonotary, Clerk of Courts, and Clerk of the Orphans' Court), except on the Confidential Information Form. Forms shall be available in each filing office, the Administrative Office of Pennsylvania Courts website, and the 26th Judicial District website at [www.columbiamontourcourts.com](http://www.columbiamontourcourts.com).

1. Social Security Numbers
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject to the case and cannot otherwise be identified;
3. Driver's License Numbers;
4. State Identification (SID) Numbers;
5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355); and
6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. 1931(a), except for victim's name.

B. Attorneys and self-represented parties shall file the Confidential Information Form in the appropriate filing office (Prothonotary, Clerk of Courts, and Clerk of the Orphans' Court), contemporaneously with the document.

C. This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority. Examples of such cases are juvenile cases, child support cases, and adoptions.

D. Attorneys and self-represented parties shall be solely responsible for complying with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania; Case Records of the Appellate and Trial Courts and the applicable state and local rules and shall certify their compliance to the Court. This certification shall accompany each filing and shall be substantially in the following form: "I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents."

E. The court or appropriate filing office (Prothonotary, Clerk of Courts, and Clerk of the Orphans' Court), is not required and will not review or redact any filed document for compliance with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts.

**L.R. 102. Confidential Documents.**

A. In accordance with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, attorneys and self-represented parties shall file the following confidential documents with the appropriate filing office (Prothonotary, Clerk of Courts, and Clerk of the Orphans' Court) under a cover sheet titled "Confidential Document Form" which shall be available in each filing office, the Administrative Office of Pennsylvania Courts website and the 26th Judicial District Website at [www.columbiamontourcourts.com](http://www.columbiamontourcourts.com).

1. Financial Source Documents;
2. Minors' educational records;
3. Medical/Psychological records;
4. Children and Youth Services' records;
5. Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. 1920.33;
6. Income and Expense Statements as provided in Pa.R.C.P. 1910.27(c); and

7. Agreements between parties as used in 23 Pa.C.S. § 3105.

B. Confidential documents submitted with the Confidential Document Form shall not be accessible to the public, except as ordered by the court. The Confidential Document Form shall be accessible to the public.

C. This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority. Examples of such cases are juvenile cases, child support cases, and adoptions.

D. Attorneys and self-represented parties shall be solely responsible for complying with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania; Case Records of the Appellate and Trial Courts and the applicable state and local rules and shall certify their compliance to the Court. This certification shall accompany each filing and shall be substantially in the following form: "I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents."

E. The court or appropriate filing office (Prothonotary, Clerk of Courts, and Clerk of the Orphans' Court), is not required and will not review or redact any filed document for compliance with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts.

[Pa.B. Doc. No. 17-2164. Filed for public inspection December 29, 2017, 9:00 a.m.]

## HUNTINGDON COUNTY

### Public Access Policy of the Huntingdon County Court of Common Pleas: Case Records; No. CP-31-MD-198-2017; AO No. 1-2017

#### Amended Administrative Order of Court

And Now, this 14th day of December, 2017, the Amended Public Access Policy of the Huntingdon County Court of Common Pleas: Case Records, as follows, is hereby *Adopted* and shall be referenced as Amended Public Access Policy of the Huntingdon County Court of Common Pleas: Case Records. It is *Ordered* that in compliance with Pa.R.C.P. 239:

1. The Huntingdon County District Court Administrator shall file one certified copy of the Rule with the Administrative Office of Pennsylvania Courts via email to [adminrules@pacourts.us](mailto:adminrules@pacourts.us);

2. Provide two paper copies and one electronic copy in a Microsoft Word format to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. The electronic copy may be e-mailed to [bulletin@palrb.us](mailto:bulletin@palrb.us);

3. Publish a copy on the Huntingdon County Court website at [www.huntingdoncountycourt.net](http://www.huntingdoncountycourt.net);

4. File one copy in the appropriate filing office for public inspection and copying.

5. This rule shall become effective January 6, 2018.

By the Court

GEORGE N. ZANIC,  
President Judge

## PUBLIC ACCESS POLICY OF THE HUNTINGDON COUNTY COURT OF COMMON PLEAS: CASE RECORDS

### Section 1.0. Definitions.

A. "Abuse Victim" is a person for whom a protection order has been granted by a court pursuant to Pa.R.C.P. No. 1901 et seq. and 23 Pa.C.S. § 6101 et seq. or Pa.R.C.P. No. 1951 et seq. and 42 Pa.C.S. § 62A01 et seq.

B. "Case Records" are (1) documents for any case filed with, accepted and maintained by a court or custodian; (2) dockets, indices, and documents (such as orders, opinions, judgments, decrees) for any case created and maintained by a court or custodian. This term does not include notes, memoranda, correspondence, drafts and work product of judges and court personnel. Unless otherwise provided in this policy, this definition applies equally to case records maintained in paper and electronic formats.

C. "Clerical errors" are errors or omissions appearing in a case record that are patently evident, as a result of court personnel's action or inaction.

D. "Court" includes the Supreme Court, Superior Court, Commonwealth Court, Courts of Common Pleas, and Philadelphia Municipal Court, excluding the Traffic Division of Philadelphia Municipal Court.

E. "Court Facility" is the location or locations where case records are filed or maintained.

F. "Custodian" is any person responsible for maintaining case records or for processing public requests for access to case records.

G. "Docket" is a chronological index of filings, actions, and events in a particular case, which may include identifying information of the parties and counsel, a brief description or summary of the filings, actions, and events, and other case information.

H. "Financial Account Numbers" include financial institution account numbers, debit and credit card numbers, and methods of authentication used to secure accounts such as personal identification numbers, user names and passwords.

I. "Financial Source Documents" are:

1. Tax returns and schedules;
2. W-2 forms and schedules including 1099 forms or similar documents;
3. Wage stubs, earning statements, or other similar documents;
4. Credit card statements;
5. Financial institution statements;
6. Check registers;
7. Checks or equivalent; and
8. Loan application documents.

J. "Medical/psychological records" are records relating to the past, present, or future physical or mental health or condition of an individual.

K. "Minor" is a person under the age of eighteen.

L. "Party" is one who commences an action or against whom relief is sought in a matter.

M. "Public" is any person, member of the media, business, non-profit entity, organization or association. The term does not include a party to a case; the attorney(s) of record in a case; Unified Judicial System officials or



employees if acting in their official capacities; or any federal, state, or local government entity, and employees or officials of such an entity if acting in their official capacities.

N. "Remote Access" is the ability to electronically search, inspect, print or copy information in a case record without visiting the court facility where the case record is maintained or available, or requesting the case record from the court or custodian pursuant to Section 4.0.

#### Commentary

Regarding Subsection B, "documents for any case filed with, accepted and maintained by a court or custodian" are those not created by a court or custodian, such as pleadings and motions. Indices are tools for identifying specific cases.

Regarding Subsection C, examples of clerical errors are the docket entry links to the wrong document or court personnel misspells a name in the caption.

Regarding Subsection F, the definition of "custodian" does not include those entities listed in Pa.R.A.P. 3191 who receive copies of briefs filed in an appellate court.

Regarding Subsection J, this definition is derived from the definition of "health information" provided in 45 C.F.R. § 160.103 (HIPAA). Examples of case records that would fall within this exclusion are: drug and alcohol treatment records, psychological reports in custody matters, and DNA reports.

Regarding Subsection L, amici curiae are not parties. See Pa.R.A.P. 531.

Regarding Subsection M, Unified Judicial System officials or employees include: judicial officers and their personal staff, administrative staff and other central staff, prothonotaries, clerks of the courts, clerks of the orphans' court division, sheriffs, prison and correctional officials, and personnel of all the above.

#### Section 2.0. Statement of General Policy.

A. This policy shall govern access by the public to case records.

B. Security, possession, custody, and control of case records shall generally be the responsibility of the applicable custodian and designated staff.

C. Facilitating access by the public shall not substantially impede the orderly conduct of court business.

D. A court or custodian may not adopt more restrictive or expansive access protocols than provided for in this policy. Nothing in this policy requires a court or custodian to provide remote access to case records. However, if a court or custodian chooses to provide remote access to any of its case records, access shall be provided in accordance with Section 10.0.

#### Commentary

The Supreme Court of Pennsylvania has adopted other policies governing public access to Unified Judicial System case records: the Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania that provides for access to the statewide case management systems' web docket sheets and requests for bulk data and the Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts that provides for access to case records of the magisterial district courts maintained in a paper format.

#### Section 3.0. Access to Case Records.

All case records shall be open to the public in accordance with this policy.

#### Section 4.0. Requesting Access to Case Records.

A. When desiring to inspect or copy case records, a member of the public shall make an oral or written request to the applicable custodian, unless otherwise provided by court order or rule. If the request is oral, the custodian may require a written request.

B. Requests shall identify or describe the records sought with specificity to enable the custodian to ascertain which records are being requested.

#### Commentary

Public access requests to the courts and custodians are routinely straightforward and often involve a limited number of records. Therefore, artificial administrative barriers should not be erected so as to inhibit making these requests in an efficient manner.

This policy provides the courts and custodians latitude to establish appropriate administrative protocols for viewing/obtaining case records remotely. However, the definition of "remote access" in Section 1.0 clarifies that a request under this section is neither necessary nor expected under this policy.

Nonetheless, Subsection A provides a custodian with the flexibility to require that a more complex request be submitted in writing to avoid misunderstandings and errors that can often result in more time being expended to provide the requested information than is necessary. This approach is not novel; submission of a written request form has been a longstanding practice under the Unified Judicial System's Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania and Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts.

Subsection B does not require a requestor to identify a case by party or case number in order to have access to the files, but the request shall clearly identify or describe the records requested so that court personnel can fulfill the request.

Written requests should be substantially in the format designed and published by the Administrative Office of Pennsylvania Courts.

#### Section 5.0. Responding to Requests for Access to Case Records.

A. A custodian shall fulfill a request for access to case records as promptly as possible under the circumstances existing at the time of the request.

B. If a custodian cannot fulfill the request promptly or at all, the custodian shall inform the requestor of the specific reason(s) why access to the information is being delayed or denied.

C. If a custodian denies a written request for access, the denial shall be in writing.

D. Relief from a custodian's written denial may be sought by filing a motion or application with the court for which the custodian maintains the records.

#### Commentary

Given that most public access requests for case records are straightforward and usually involve a particular case or matter, custodians should process the same in an expeditious fashion.

There are a number of factors that can affect how quickly a custodian may respond to a request. For example, the custodian's response may be slowed if the request is vague, involves retrieval of a large number of case records, or involves information that is stored off-site. Ultimately, the goal is to respond timely to requests for case records.

In those unusual instances in which access to the case records cannot be granted in an expeditious fashion, the custodian shall inform the requestor of the specific reason(s) why access to the information is being delayed or denied, which may include:

- the request involves such voluminous amounts of information that the custodian is unable to fulfill the same without substantially impeding the orderly conduct of the court or custodian's office;
- records in closed cases are located at an off-site facility;
- a particular file is in use by a judge or court staff. If a judge or court staff needs the file for an extended period of time, special procedures should be considered, such as making a duplicate file that is always available for public inspection;
- the requestor failed to pay the appropriate fees, as established pursuant to Section 6.0 of this policy, associated with the request;
- the requested information is restricted from access pursuant to applicable authority, or any combination of factors listed above.

An aggrieved party may seek relief from a denial of a written request for access consistent with applicable authority (for example, in an appellate court, Pa.R.A.P. 123 sets forth procedures for applications for relief under certain circumstances, or pertinent motion practice at the trial court level).

### Section 6.0. Fees.

A. Unless otherwise provided by applicable authority, fees for duplication by photocopying or printing from electronic media or microfilm shall not exceed \$0.25 per page.

B. A custodian shall establish a fee schedule that is (1) posted in the court facility in an area accessible to the public, and (2) posted on the custodian's website.

#### Commentary

Reasonable fees may be imposed for providing public access to case records pursuant to this policy and in accordance with applicable authority. This section does not authorize fees for viewing records that are stored at the court facility.

To the extent that the custodian is not the court, approval of the fee schedule by the court may be necessary.

An example of applicable authority setting forth photocopying fees is 42 Pa.C.S. § 1725(c)(1)(ii) that provides the Clerk of Orphans' Court of the First Judicial District shall charge \$3 per page for a copy of any record. See also 42 P.S. § 21032.1 (providing authority for the establishment of fees in orphans' court in certain judicial districts). In addition, the copying fees for appellate court records are provided for in 204 Pa. Code § 155.1. However, copies of most appellate court opinions and orders are available for free on the Unified Judicial System's website, [www.pacourts.us](http://www.pacourts.us).

### Section 7.0. Confidential Information.

A. Unless required by applicable authority or as provided in Subsection C, the following information is confidential and shall be not included in any document filed with a court or custodian, except on a Confidential Information Form filed contemporaneously with the document:

1. Social Security Numbers;
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified;
3. Driver License Numbers;
4. State Identification (SID) Numbers;
5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355); and
6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for victim's name.

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority.

B. The Administrative Office of Pennsylvania Courts shall design and publish the Confidential Information Form.

C. Persons who file documents that contain confidential information as defined by the Public Access Policy shall use and file a Confidential Information Form in order to comply with the Policy. The form shall be available in each filing office as well as on the Court Administration website at [www.huntingdoncountycourt.net](http://www.huntingdoncountycourt.net).

D. Parties and their attorneys shall be solely responsible for complying with the provisions of this section and shall certify their compliance to the court. The certification that shall accompany each filing shall be substantially in the following form: "I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents."

E. A court or custodian is not required to review or redact any filed document for compliance with this section. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

F. If a filed document fails to comply with the requirements of this section, a court may, upon motion or its own initiative, with or without a hearing order the filed document sealed, redacted, amended or any combination thereof. A court may impose sanctions, including costs necessary to prepare a compliant document for filing in accordance with applicable authority.

G. This section shall apply to all documents for any case filed with a court or custodian on or after the effective date of this policy.

#### Commentary

There is authority requiring information listed in Subsection A to appear on certain documents. For example,

Pa.R.C.P. No. 1910.27 provides for inclusion of the plaintiff's and defendant's social security number on a complaint for support.

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority, for example, cases filed under the Juvenile Act that are already protected by 42 Pa.C.S. § 6307, and Pa.Rs.J.C.P. 160 and 1160.

Unless constrained by applicable authority, court personnel and jurists are advised to refrain from inserting confidential information in court-generated case records (e.g., orders, notices) when inclusion of such information is not essential to the resolution of litigation, appropriate to further the establishment of precedent or the development of law, or necessary for administrative purposes. For example, if a court's opinion contains confidential information and, therefore, must be sealed or heavily redacted to avoid release of such information, this could impede the public's access to court records and ability to understand the court's decision.

Whether using a Confidential Information Form or filing a redacted and unredacted version of a document, the drafter shall indicate where in the document confidential information has been omitted. For example, the drafter could insert minors' initials in the document, while listing full names on the Confidential Information Form. If more than one child has the same initials, a different moniker should be used (e.g., child one, child two, etc.).

While Pa.R.C.P. No. 1931 is suspended in most judicial districts, the reference to the rule is merely for definitional purposes.

With regard to Subsection D, the certification of compliance is required whether documents are filed in paper form or via an e-filing system.

With regard to Subsection E, a court or custodian is not required to review or redact documents filed by a party or attorney for compliance with this section. However, such activities are not prohibited.

Any party may make a motion to the court to cure any defect(s) in any filed document that does not comport with this section.

### **Section 8.0. Confidential Documents.**

A. Unless required by applicable authority, the following documents are confidential and shall be filed with a court or custodian under a cover sheet designated "Confidential Document Form":

1. Financial Source Documents;
2. Minors' educational records;
3. Medical/Psychological records;
4. Children and Youth Services' records;
5. Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. No. 1920.33;
6. Income and Expense Statement as provided in Pa.R.C.P. No. 1910.27(c); and
7. Agreements between the parties as used in 23 Pa.C.S. § 3105.

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority.

B. The Administrative Office of Pennsylvania Courts shall design and publish the Confidential Document Form.

C. Confidential documents submitted with the Confidential Document Form shall not be accessible to the public, except as ordered by a court. However, the Confidential Document Form or a copy of it shall be accessible to the public.

D. Parties and their attorneys shall be solely responsible for complying with the provisions of this section and shall certify their compliance to the court. The certification that shall accompany each filing shall be substantially in the following form "I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents."

E. A court or custodian is not required to review any filed document for compliance with this section. A party's or attorney's failure to comply with this section shall not affect access to case records that are otherwise accessible.

F. If confidential documents are not submitted with the Confidential Document Form, a court may, upon motion or its own initiative, with or without a hearing, order that any such documents be sealed. A court may also impose appropriate sanctions for failing to comply with this section.

G. This section shall apply to all documents for any case filed with a court or custodian on or after the effective date of this policy.

### **Commentary**

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority, such as Juvenile Act cases pursuant to 42 Pa.C.S. § 6307, and Pa.Rs.J.C.P. 160 and 1160.

Unless constrained by applicable authority, court personnel and jurists are advised to refrain from attaching confidential documents to court-generated case records (e.g., orders, notices) when inclusion of such information is not essential to the resolution of litigation, appropriate to further the establishment of precedent or the development of law, or necessary for administrative purposes. For example, if a court's opinion contains confidential information and, therefore, must be sealed or heavily redacted to avoid release of such information, this could impede the public's access to court records and ability to understand the court's decision.

Examples of "agreements between the parties" as used in Subsection (A)(7) include marital settlement agreements, post-nuptial, pre-nuptial, ante-nuptial, marital settlement, and property settlement. See 23 Pa.C.S. § 3105 for more information about agreements between parties.

With regard to Subsection D, the certification of compliance is required whether documents are filed in paper form or via an e-filing system.

With regard to Subsection E, if the party or party's attorney fails to use a cover sheet designated "Confidential Document Form" when filing a document deemed confidential pursuant to this section, the document may be released to the public.

Any party may make a motion to the court to cure any defect(s) in any filed document that does not comport with this section.

### Section 9.0. Limits on Public Access to Case Records at a Court Facility.

The following information shall not be accessible by the public at a court facility:

A. Case records in proceedings under 20 Pa.C.S. § 711(9), including but not limited to case records with regard to issues concerning recordation of birth and birth records, the alteration, amendment, or modification of such birth records, and the right to obtain a certified copy of the same, except for the docket and any court order or opinion;

B. Case records concerning incapacity proceedings filed pursuant to 20 Pa.C.S. §§ 5501—5555, except for the docket and any final decree adjudicating a person as incapacitated;

C. Any Confidential Information Form or any Unredacted Version of any document as set forth in Section 7.0;

D. Any document filed with a Confidential Document Form as set forth in Section 8.0;

E. Information sealed or protected pursuant to court order;

F. Information to which access is otherwise restricted by federal law, state law, or state court rule; and

G. Information presenting a risk to personal security, personal privacy, or the fair, impartial and orderly administration of justice, as determined by the Court Administrator of Pennsylvania with the approval of the Chief Justice. The Court Administrator shall publish notification of such determinations in the *Pennsylvania Bulletin* and on the Unified Judicial System's website.

#### Commentary

Unless constrained by applicable authority, court personnel and jurists are advised to refrain from inserting confidential information in or attaching confidential documents to court-generated case records (e.g., orders, notices) when inclusion of such information is not essential to the resolution of litigation, appropriate to further the establishment of precedent or the development of law, or necessary for administrative purposes. For example, if a court's opinion contains confidential information and, therefore, must be sealed or heavily redacted to avoid release of such information, this could impede the public's access to court records and ability to understand the court's decision.

With respect to Subsection F, Pennsylvania Rule of Appellate Procedure 104(a), Pa.R.A.P. 104(a), provides that the appellate courts may make and amend rules of court governing their practice. The Administrative Office of Pennsylvania Courts shall from time to time publish a list of applicable authorities that restrict public access to court records or information. This list shall be published on the Unified Judicial System's website and in the *Pennsylvania Bulletin*. In addition, all custodians shall post this list in their respective court facilities in areas accessible to the public and on the custodians' websites.

With respect to Subsection G, the Administrative Office of Pennsylvania Courts shall include any such determinations in the list of applicable authorities referenced above. The same provision appears in existing statewide public access policies adopted by the Supreme Court: Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania and Public Access Policy of the Unified Judicial System of Pennsylvania: Official Case Records of the Magisterial District Courts. The provision

is intended to be a safety valve to address a future, extraordinary, unknown issue of statewide importance that might escape timely redress otherwise. It cannot be used by parties or courts in an individual case.

### Section 10.0. Limits on Remote Access to Case Records.

A. The following information shall not be remotely accessible by the public:

1. The information set forth in Section 9.0;

2. In criminal cases, information that either specifically identifies or from which the identity of jurors, witnesses (other than expert witnesses), or victims could be ascertained, including names, addresses and phone numbers;

3. Transcripts lodged of record, excepting portions of transcripts when attached to a document filed with the court;

4. In Forma Pauperis petitions;

5. Case records in family court actions as defined in Pa.R.C.P. No. 1931(a), except for dockets, court orders and opinions;

6. Case records in actions governed by the Decedents, Estates and Fiduciaries Code, Adult Protective Services Act and the Older Adult Protective Services Act, except for dockets, court orders and opinions; and

7. Original and reproduced records filed in the Supreme Court, Superior Court or Commonwealth Court as set forth in Pa.R.A.P. 1921, 1951, 2151, 2152, and 2156.

B. With respect to Subsections A(5) and A(6), unless otherwise restricted pursuant to applicable authority, dockets available remotely shall contain only the following information:

1. A party's name;

2. The city, state, and ZIP code of a party's address;

3. Counsel of record's name and address;

4. Docket number;

5. Docket entries indicating generally what actions have been taken or are scheduled in a case;

6. Court orders and opinions;

7. Filing date of the case; and

8. Case type.

C. Case records remotely accessible by the public prior to the effective date of this policy shall be exempt from this section.

#### Commentary

Remote access to the electronic case record information residing in the Pennsylvania Appellate Court Case Management System (PACMS), the Common Pleas Case Management System (CPCMS) and the Magisterial District Judges System (MDJS) is provided via web dockets, available on <https://ujportal.pacourts.us/>, and is governed by the Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania.

Depending upon individual court resources, some courts have posted online docket information concerning civil matters. If a court elects to post online docket information concerning family court actions and actions governed by the Decedents, Estates and Fiduciaries Code, Adult Protective Services Act and the Older Adult Protective Services Act, the docket may only include the information set forth in Subsection B. This information will provide the public with an overview of the case, its proceedings and

other pertinent details, including the court's decision. Release of such information will enhance the public's trust and confidence in the courts by increasing awareness of the procedures utilized to adjudicate the claims before the courts as well as the material relied upon in reaching determinations. This provision does not impact what information is maintained on the docket available at the court facility.

Access to portions of transcripts when attached to a document filed with the court in family court actions is governed by Subsection A(5). While Pa.R.C.P. No. 1931 is suspended in most judicial districts, the reference to the rule is merely for definitional purposes.

### **Section 11.0. Correcting Clerical Errors in Case Records.**

A. A party, or the party's attorney, seeking to correct a clerical error in a case record may submit a written request for correction.

1. A request to correct a clerical error in a case record of the Supreme Court, Superior Court or Commonwealth Court shall be submitted to the prothonotary of the proper appellate court.

2. A request to correct a clerical error in a case record of a court of common pleas or Philadelphia Municipal Court shall be submitted to the applicable custodian.

B. The request shall be made on a form designed and published by the Administrative Office of Pennsylvania Courts.

C. The requestor shall specifically set forth on the request form the information that is alleged to be a clerical error and shall provide sufficient facts, including supporting documentation, that corroborate the requestor's allegation that the information in question is in error.

D. The requestor shall provide copies of the request to all parties to the case.

E. Within 10 business days of receipt of a request, the custodian shall respond in writing to the requestor and all parties to the case in one of the following manners:

1. The request does not contain sufficient information and facts to determine what information is alleged to be in error, and no further action will be taken on the request.

2. The request does not concern a case record that is covered by this policy, and no further action will be taken on the request.

3. A clerical error does exist in the case record and the information in question has been corrected.

4. A clerical error does not exist in the case record.

5. The request has been received and an additional period not exceeding 30 business days is necessary to complete a review of the request.

F. A requestor may seek review of the custodian's response under Subsections E(1)—(4) within 10 business days of the mailing date of the response.

1. The request for review shall be submitted on a form that is designed and published by the Administrative Office of Pennsylvania Courts.

2. The request shall be reviewed by the judge(s) who presided over the case.

#### **Commentary**

Case records are as susceptible to clerical errors and omissions as any other public record. The power of the

court to correct errors in its own records is inherent. E.g., *Jackson v. Hendrick*, 746 A.2d 574 (Pa. 2000). It is important to emphasize that this section does not provide a party who is dissatisfied with a court's decision, ruling or judgment a new avenue to appeal the same by merely alleging there is an error in the court's decision, ruling or judgment. Rather, this section permits a party to "fix" information that appears in a case record which is not, for one reason or another, correct.

Particularly in the context of Internet publication of court records, a streamlined process is appropriate for addressing clerical errors to allow for prompt resolution of oversights and omissions. For example, to the extent that a docket in a court's case management system incorrectly reflects a court's order, or a scanning error occurred with regard to an uploaded document, such clerical inaccuracies may be promptly corrected by the appropriate court staff, upon notification, without a court order. Since 2007, the Electronic Case Record Public Access Policy of the Unified Judicial System of Pennsylvania has provided a similar procedure for any errors maintained on the web docket sheets of the PACMS, CPCMS and MDJS. The procedure has successfully addressed clerical errors on docket entries in a timely and administratively simple manner.

A party or party's attorney is not required to utilize the procedures set forth in this section before making a formal motion for correction of a case record in the first instance. Alleged inaccuracies in orders and judgments themselves must be brought to the attention of the court in accordance with existing procedures.

This section is not intended to provide relief for a party's or attorney's failure to comply with Sections 7.0 and 8.0 of this policy. Sections 7.0 and 8.0 already provide for remedial action in the event that non-compliance occurs.

With respect to this section, a custodian includes, but is not limited to, the county prothonotaries, clerks of orphans' court, and clerks of the court.

A log of all corrections made pursuant to this section may be maintained by the custodian, so that there is a record if an objection is made in the future. Such a log should remain confidential. It is suggested that custodians include a registry entry on the case docket when a request is received and a response is issued.

### **Section 12.0. Continuous Availability of Policy.**

A copy of this policy shall be continuously available for public inspection in every court and custodian's office and posted on the Unified Judicial System's website.

[Pa.B. Doc. No. 17-2165. Filed for public inspection December 29, 2017, 9:00 a.m.]

## **LEBANON COUNTY**

### **Public Access Policy; Administrative Order No. 4 of 2017; Doc. No. 2017-00002**

#### **Order of Court**

*And Now*, December 1, 2017, in compliance with Section 7 of the Public Access Policy of the Unified Judicial System of Pennsylvania, it is *Hereby Ordered* that the Court adopts the following Rule of Judicial Administration Rule 101 regarding public access to confidential information which becomes effective January 6, 2018.

The District Court Administrator is *Hereby Ordered* to:

1. File one certified copy of this Order with the Administrative Office of Pennsylvania Courts to [adminrules@pacourts.us](mailto:adminrules@pacourts.us);

2. Submit two paper copies of this Order to the Legislative Reference Bureau and one electronic copy in Microsoft Word format only to [bulletin@palrb.us](mailto:bulletin@palrb.us) for publication in the *Pennsylvania Bulletin*;

3. Provide one copy of this Order to the members of the Lebanon County Bar Association;

4. Incorporate the Rule into the set of Local Rules within thirty (30) days of publication of the Local Rule in the *Pennsylvania Bulletin* and publish the rules on the Court's website at [www.lebcounty.org](http://www.lebcounty.org).

5. File this Order in the Prothonotary's Office of Lebanon County.

**Rule of Judicial Administration 101. Confidential Information. Public Access Policy for the Court of Common Pleas.**

In Lebanon County, the following information is confidential and shall not be included in any document filed with a Court or custodian, except on a Confidential Information Form filed contemporaneously with the document:

1. Social Security Numbers;
2. Financial Account Numbers, except an active financial account number may be identified by the last four (4) digits when the financial account is the subject of the case and cannot otherwise be identified;
3. Driver License Numbers;
4. State Identification (SID) Numbers;
5. Minors' names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S.A. § 6355); and
6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court actions as defined by Pa.R.C.P. No. 1931(a), except for victim's name.

This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority.

Parties and their attorneys shall be solely responsible for complying with the provisions of this section and shall certify their compliance to the Court. The certification that shall accompany each filing shall be substantially in the following form: "I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents."

Failure to comply with the requirements of the Public Access Policy may result in the matter being before the Court for hearing or sanctions.

The Confidential Information Form is available at [www.lebcounty.org](http://www.lebcounty.org), [www.pacourts.us](http://www.pacourts.us) or in the filing office. Additional forms including but not limited to the following:

- Confidential Document Form
- Abuse Victim Addendum
- Request for Clerical Error Correction

are available at [www.pacourts.us/public-records](http://www.pacourts.us/public-records).

*By the Court*

JOHN C. TYLWALK,  
*President Judge*

[Pa.B. Doc. No. 17-2166. Filed for public inspection December 29, 2017, 9:00 a.m.]

**MONROE COUNTY**

**Amendment of Local Rules of Civil Procedure in Custody, Divorce and Domestic Relations; 5 AD 2017; 52 adm**

**Order**

And Now, this 12th day of December, 2017, it is Ordered that Monroe County Rules of Civil Procedure in Custody, Divorce and Domestic Relations adopted July 11, 2014 and any subsequent amendments thereafter are amended, effective with adoption of the following:

Addition of Local Rules Nos. 1920.3, 1930.1 and 1930.3;

Amendment of Local Rules Nos. 1910.4, 1910.12, 1915.1, 1915.3-3, 1915.4, 1915.4-4, 1915.8, 1915.12, 1920.51, 1920.51-1, 1920.54 and 1930.4-1;

Rescinding of Local Rules Nos. 1900, 1900.1, 1910.1, 1910.10, 1910.12-A, 1920.12, 1920.43 and 1930.8.

All of the aforementioned changes shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

It Is Further Ordered that the District Court Administrator shall:

1. File one copy of this Rule with the Administrative Office of Pennsylvania Courts via email to [adminrules@pacourts.us](mailto:adminrules@pacourts.us).

2. File two paper copies and one electronic copy of this Rule in a Microsoft Word format only on a CD-ROM to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. Provide one copy of this Rule to the Monroe County Law Library.

4. Keep such Administrative Local Rules, as well as all local rules of this Court, continuously available for public inspection and copying in the Monroe County Offices of the Prothonotary

a. Upon request and payment of reasonable cost of reproduction and mailing, the Prothonotary shall furnish to any person a copy of any local rule.

5. Arrange to have this Administrative Rule published on the Monroe County Bar Association website at [www.monroebar.org](http://www.monroebar.org).

6. Arrange to have this Administrative Rule, as well as all local rules, published on the 43rd Judicial District website at [www.monroepacourts.us](http://www.monroepacourts.us).

*By the Court*

MARGHERITA PATTI-WORTHINGTON,  
*President Judge*

**Rule 1900. Domestic Relations Actions—rescinded, effective \_\_\_**

**Rule 1900.1. Procedure to Recover Exhibits—rescinded, effective \_\_\_**

**Actions for Support/Alimony Pendente Lite**

**Rule 1910.1. Support and Alimony Pendente Lite—rescinded, effective \_\_\_**

**Rule 1910.4. Commencement of Action. Filing.**

All actions shall be commenced pursuant to Pennsylvania Rule of Civil Procedure 1910.4. The original and one copy of the complaint shall be submitted to the Monroe County Domestic Relations Office for filing.

The original and one copy of all subsequent support, alimony, and alimony pendente lite filings, including those filed to a divorce action, shall be submitted to the Prothonotary for filing. The Prothonotary shall immediately serve a copy of all documents filed in support and alimony pendente lite actions and all divorce complaints containing claims for support or alimony pendente lite upon the Monroe County Domestic Relations Office. Service upon the Monroe County Domestic Relations Office shall be complete upon the placement of the document(s) in the Monroe County Domestic Relations Office Court-house mailbox.

**Rule 1910.10. Alternative Hearing Procedure—rescinded, effective \_\_\_**

**Rule 1910.12. Exceptions.**

Any party filing exceptions to the report of the hearing officer shall, at the time of filing of the exceptions, file a motion for transcript of the proceedings before the hearing officer in conformity with Pa.R.J.A. 4000 et. seq. and Monroe County R.J.A. 4007 et. seq.

**Rule 1910.12-A. Form Exceptions Order—rescinded, effective \_\_\_**

**ACTIONS IN CUSTODY**

**1915.1. Definitions.**

“Conciliator” shall be an active-status attorney duly licensed to practice law in the Commonwealth of Pennsylvania and appointed by the Court.

“Conciliation Conference” shall be a prehearing negotiation meeting conducted under the auspices of the Court by the Conciliator and in accordance with Pa.R.C.P. 1915.4-3.

“Evidentiary Hearing” shall be a record hearing before a judge of the Court of Common Pleas, the 43rd Judicial District, Monroe County.

“Family Social Study” shall be an evaluation and/or report which shall include, but not be limited to, a custody questionnaire, custody evaluation, psychological evaluation, mental health evaluation, drug and alcohol evaluation, drug and alcohol testing, and/or homestudy.

“Program” shall be the Monroe County Co-Parent Education Program.

“Provider” shall be the provider of the Monroe County Co-Parent Education Program.

**1915.3-3. Co-Parent Education Program.**

All parties to initial custody actions and to divorce actions in which the divorce complaint contains a count for custody shall attend and complete the Program. The Court, in its discretion, may require repeat attendance.

**1915.4. Prompt Disposition of Custody Cases.**

After an initial conciliation conference, any party may petition the court for an Evidentiary Hearing in accordance with Monroe County R.C.P. 208.3(a). The motion for Evidentiary Hearing shall be filed with the Office of the Prothonotary and in accordance with Monroe Co.R.C.P. 205.2(a) and Monroe Co.R.C.P. 1930.1.

**1915.4-4. Pre-Trial Procedures.**

(a) Pre-trial conferences shall be held in accordance with Pa.R.C.P. 1915.4-4. Unless otherwise ordered by the Court, counsel of record and the parties shall be present for pre-trial conferences.

No later than five days prior to the pre-trial conference, all parties shall provide to the Court and all other parties a pre-trial statement, completed parenting plan, in substantially the form set forth below, and an updated Criminal Record/Abuse History Verification concerning any criminal and/or abusive history, in accordance with Pa.R.C.P. 1915.3-2. The completed parenting plan and Criminal Record/Abuse History Verification shall be attached and submitted to the Court as part of the party’s pre-trial statement.

(b) *Form. Parenting Plan.*

**COURT OF COMMON PLEAS OF MONROE COUNTY  
FORTY-THIRD JUDICIAL DISTRICT  
COMMONWEALTH OF PENNSYLVANIA**

_____ ,	:	NO. _____ CV 20__
Plaintiff	:	NO. _____ DR 20__
	:	
vs.	:	
	:	
_____ ,	:	IN CUSTODY
Defendant	:	

**PARENTING PLAN**

This parenting plan involves the following child/children:

Child’s Name	Age	Where does this child live?
1. _____	_____	_____
2. _____	_____	_____

Child's Name	Age	Where does this child live?
3. _____	_____	_____
4. _____	_____	_____

If you have children not addressed by this parenting plan, name here:

Child's Name	Age	Where does this child live?
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

Legal Custody (who makes decisions about certain things):

Circle one

Diet	Both parties decide together/Plaintiff/Defendant
Religion	Both parties decide together/Plaintiff/Defendant
Medical Care	Both parties decide together/Plaintiff/Defendant
Mental Health Care	Both parties decide together/Plaintiff/Defendant
Discipline	Both parties decide together/Plaintiff/Defendant
Choice of School	Both parties decide together/Plaintiff/Defendant
Choice of Study	Both parties decide together/Plaintiff/Defendant
School Activities	Both parties decide together/Plaintiff/Defendant
Sports Activities	Both parties decide together/Plaintiff/Defendant
Additional items	Both parties decide together/Plaintiff/Defendant

Explain what process you will use to make decisions? (For example, the parent confronted with or anticipating the choice will call the other parent when the choice presents itself, and the other parent must agree or disagree within 24 hours of any deadline.)

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

Physical Custody (where the child/children live(s)):

The child's/children's residence is with \_\_\_\_\_ .

Describe which days and which times of the day the child/children will be with each person:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
--------	--------	---------	-----------	----------	--------	----------

Describe where and when the child/children will be dropped off and/or picked up (day and time of day)?

Drop-Off:

Where: \_\_\_\_\_

When: \_\_\_\_\_

Pick-Up:

Where: \_\_\_\_\_

When: \_\_\_\_\_

If one of you doesn't show up, how long will the other wait? \_\_\_\_\_

If there are any extraordinary costs (taxi, train, airplane, etc.), who will pay for which costs?

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

HOLIDAYS

Where will the child/children stay?

HOLIDAY	YEAR A	YEAR B	EVERY YEAR
Martin Luther King Day	_____	_____	_____
President's Day	_____	_____	_____
Easter	_____	_____	_____



HOLIDAY	YEAR A	YEAR B	EVERY YEAR
Memorial Day	_____	_____	_____
Fourth of July	_____	_____	_____
Labor Day	_____	_____	_____
Yom Kippur	_____	_____	_____
Rosh Hashanah	_____	_____	_____
Thanksgiving	_____	_____	_____
Vacation after Thanksgiving	_____	_____	_____
Christmas Vacation	_____	_____	_____
Kwanzaa	_____	_____	_____
New Year's Eve/Day	_____	_____	_____
Spring Vacation	_____	_____	_____
Easter Sunday	_____	_____	_____
Child's Birthday	_____	_____	_____
Mother's Day	_____	_____	_____
Father's Day	_____	_____	_____
Other:	_____	_____	_____
Other:	_____	_____	_____
Other:	_____	_____	_____
Summer Vacation Plans:			

Special Activities or School Activities:

Will both of you attend?

Child's Name	Activity	If not, which of you will attend?
_____	_____	_____
_____	_____	_____
_____	_____	_____

Temporary changes to this parenting schedule:

From time to time, one of you might want or need to rearrange the parenting time schedule due to work, family or other events. You can attempt to agree on these changes. If you cannot agree, the parent receiving the request will make the final decision.

The parent asking for the change will ask \_\_\_ in person \_\_\_ by letter/mail \_\_\_ by phone

No later than \_\_\_ 12 hours \_\_\_ 24 hours \_\_\_ 1 week \_\_\_ 1 month

The parent being asked for a change will reply \_\_\_ in person \_\_\_ by letter/mail \_\_\_ by phone

No later than \_\_\_ 12 hours \_\_\_ 24 hours \_\_\_ 1 week \_\_\_ 1 month

May parents contact one another? \_\_\_\_\_

When the child/children is/are with one of you, how may they contact the other parent?

When and how may \_\_\_\_\_ contact the child?  
\_\_\_\_\_  
\_\_\_\_\_

In the event that proposed changes, disputes or alleged breaches of this parenting plan and custody order are necessary or desired, the parties agree that such changes will be addressed by the following method (specify method of arbitration, mediation, court action, etc.):  
\_\_\_\_\_  
\_\_\_\_\_

The following matter or matters as specified by the court:  
\_\_\_\_\_  
\_\_\_\_\_

Other (Anything else you want to agree on):

---



---

Date	Signature of Mother
Date	Signature of Father
Date	Signature of Witness

**1915.8. Disclosure of Evaluations and Reports.**

A party to a custody action shall not disclose the contents of an evaluation or report prepared pursuant to Pa.R.C.P. 1915.8, including but not limited to, Family Social Studies and test results, to anyone except the attorneys of record for the parties, any unrepresented party, the guardian ad litem and/or counsel for the child(ren), if any, and the court in accordance with Pa.R.C.P. 1915.8. Disclosure to an unauthorized person, including the child who is the subject of the action, may result in a finding of contempt and sanctions.

**1915.12. Civil Contempt for Disobedience of a Custody Order.**

Petitions for contempt shall be filed in the Office of the Prothonotary in accordance with Pa.R.C.P. 1915.12. Petitions for contempt may be scheduled for a conference before the Conciliator. If the contempt matter is not resolved at Conciliation Conference, then the Conciliator shall refer the matter to the judge for appropriate action.

**ACTIONS IN DIVORCE**

**1920.3. Commencement of Action.**

An action shall be commenced pursuant to Pa.R.C.P. 1920.3. The original and one copy of all complaints containing claims for support, alimony or alimony pendente lite shall be submitted to the Prothonotary for filing. In all other instances, only the original complaint shall be submitted.

**Rule 1920.12. Filing and Service of Complaint. Costs—rescinded, effective \_\_\_**

**Rule 1920.43. Motions and Petitions—rescinded, effective \_\_\_**

**1920.51. Proceedings Before the Master.**

(a) Monroe County shall follow the master’s hearing procedure set out at Pa.R.C.P. 1920.55-2.

(b) Either party may file a motion for the appointment of a divorce master provided that:

(1) The moving party has complied with the requirements of Pa.R.C.P. 1920.33 (pertaining to inventory and pretrial statement); and

(2) The required fee has been paid to the Prothonotary; and

(3) The moving party has filed of record and served a time stamped copy of the party’s written notice of intention to file a motion for the appointment of a divorce master along with a certificate of service, using the forms

set forth below, to all counsel of record and unrepresented parties a minimum of 20 days prior to the filing of the motion for the appointment of a divorce master.

(c) If opposing counsel or any unrepresented party objects to the filing of the motion for the appointment of a divorce master, the objector shall, within 20 days of the service of the notice of intention to file motion for the appointment of a divorce master, file with the court a statement of objections which shall include the basis for objection and a statement of when the case will be ready for master’s hearing, along with a request for argument. All of the foregoing shall be served on all counsel of record and unrepresented parties.

(d) Failure of a party to timely file objections to the appointment of a divorce master shall be deemed a waiver of the party’s right to receive additional discovery.

(e) Upon the filing of the motion for appointment of a divorce master, the Court Administrator shall assign the master and the court shall issue orders scheduling a hearing and a pretrial conference, and setting a deadline for the filing and service of the non-moving party’s pretrial statements in conformity with Pa.R.C.P. 1920.33.

(f) Counsel of record and unrepresented parties shall attend the pretrial conference; represented parties shall be available to consult with their counsel by telephone during the pretrial conference. In the event that counsel for either party or an unrepresented party fails to attend the pretrial conference, or fails to file a pretrial statement as ordered, the master may recommend that the court impose sanctions.

(g) If a pretrial conference or any portion of a hearing day is held, the master shall receive a fee in an amount determined by the court.

(h) If additional hearing days are needed, the master shall petition the court with a recommendation regarding the number of additional full or partial hearing days requested and the amount of the additional court costs to be paid by one or both of the parties. The court shall issue an order for the payment of additional costs and following payment of the costs as ordered shall set the additional hearing dates. No additional hearing dates shall be scheduled prior to the payment of the full amount of the additional court costs ordered. The master shall be compensated for any additional full or partial days of hearing in an amount to be determined by the court.

(i) *Forms.*

[CASE CAPTION]

NOTICE OF INTENTION TO FILE PETITION REQUESTING THE APPOINTMENT OF A DIVORCE MASTER

Notice is hereby given that 20 days following the date set out below, [Plaintiff/Defendant] intends to file a Motion Requesting the Appointment of a Divorce Master.

Date: \_\_\_\_\_ [Signature of Counsel or Pro Se Party with full address and telephone.]

CERTIFICATE OF SERVICE

I certify that I have provided or will immediately provide a copy of this Notice of Intention to File a Motion Requesting the Appointment of a Divorce Master on all counsel of record and all self-represented parties at the following address:

Name \_\_\_\_\_

Address \_\_\_\_\_

Date: \_\_\_\_\_ [Signature of Counsel or Pro Se Party with full address and telephone.]

1920.51-1. Continuance of Master's Hearing in Divorce.

(a) Scheduled master's hearings may be continued by motion only, filed in accordance with Monroe Co.R.C.P. 208.2(c), 208.2(d) and 208.3(a).

(b) Prior to filing a motion to continue a master's hearing, the moving party or, if represented, their counsel shall contact the office of the Court Administrator to secure several prospective dates for the rescheduled hearing, and shall list those dates on the concurrence/non-concurrence required to be attached to the motion and which shall be substantially in the form set forth below.

(c) Upon receipt of prospective continuance dates from the office of the Court Administrator, the moving party shall forward to all responding parties, or if represented, to their counsel, the concurrence/non-concurrence form setting forth the prospective continuance dates.

(d) Within three (3) business days of receiving the concurrence/non-concurrence form from the moving party, all responding parties, or if represented, their counsel, shall complete the form stating their concurrence or non-concurrence in the motion, and notwithstanding their non-concurrence, shall indicate their availability for hearing on the prospective continuance dates.

(e) The moving party or counsel shall complete a proposed order rescheduling the master's hearing by filling in a specific date for the rescheduled hearing from the list of prospective dates provided by the Court Administrator and approved by all responding parties and counsel, and shall attach the proposed order to the motion.

(f) The completed motion, concurrence/non-concurrence form and proposed order shall be filed in the office of the Prothonotary and copies served on the master, the office of Court Administration and all parties, with a certificate of service.

(g) Motions for continuance of master's hearings shall be filed no later than one week before the scheduled pretrial conference with the master, except for good cause shown.

(h) Form

CERTIFICATION OF CONCURRENCE, NON-CONCURRENCE OR NO REPLY

I hereby certify that I am counsel for the movant OR I am the pro se movant and that concurrence in the prayer of the within motion for continuance of divorce master's hearing has been sought from \_\_\_\_\_, counsel to respondent, OR \_\_\_\_\_, pro se respondent, by mailing the motion for continuance of divorce master's hearing, with a copy of this certification of concurrence, non-concurrence or no reply to the following, addressed as follows on [date of mailing]:

\*\*

I further certify that:

\_\_\_\_\_ Responses are set out below with signatures of counsel or pro se respondent.

\_\_\_\_\_ No responses were provided.

I further certify that the office of the Court Administrator has provided the following prospective dates for the rescheduled master's hearing in divorce, all of which are dates on which I am available and movant is available:

\_\_\_\_\_

Dated: \_\_\_\_\_, Esquire  
Counsel to Movant

[OR]  
Dated: \_\_\_\_\_  
Pro Se Movant

I hereby certify that I am counsel to the respondent and that:

\_\_\_\_\_ I concur in the Motion for Continuance.

\_\_\_\_\_ I do not concur in the Motion for Continuance.

I further certify that I am available and the respondent is available on the following prospective dates identified above provided by the office of the Court Administrator. I understand that whether I concur or do not concur I am required to identify dates of availability:

\_\_\_\_\_

Dated: \_\_\_\_\_, Esquire  
Attorney for Respondent

I hereby certify that I am the responding pro se party and that:

\_\_\_\_\_ I concur in the Motion for Continuance.

\_\_\_\_\_ I do not concur in the Motion for Continuance.

I further certify that I am available on the following prospective dates identified above provided by the office of the Court Administrator. I understand that whether I concur or do not concur I am required to identify dates of availability:

\_\_\_\_\_

Dated: \_\_\_\_\_  
Pro Se Respondent

**1920.54. Settlement Before Scheduled Hearing.**

In the event that the parties settle all claims prior to hearing, the parties and counsel shall appear before the master and state the terms of their settlement on the record. Said appearance is waived if by the close of business on the day before the scheduled hearing the parties file with the Prothonotary and deliver to the master an executed divorce settlement agreement and affidavits of consent. Where parties settle on the record or by the filing of a written divorce settlement agreement, the master shall file a report and recommendation within thirty days of the scheduled hearing date.

**RULES RELATING TO DOMESTIC RELATIONS MATTERS GENERALLY**

**Rule 1930.1. Pleadings. Form of Caption.**

(a) The form of the caption in all domestic relations matters shall be substantially as follows:

**COURT OF COMMON PLEAS OF MONROE COUNTY  
FORTY-THIRD JUDICIAL DISTRICT  
COMMONWEALTH OF PENNSYLVANIA**

Litigant A, : NO. \_\_\_\_\_ DR 20\_\_\_\_\_  
Plaintiff :  
 : NO. \_\_\_\_\_ CV 20\_\_\_\_\_  
 : (\*type of action)  
 :  
 :  
 vs. :  
 : PACSES Case No. \_\_\_\_\_  
 : (\*for support actions)  
 Litigant B, :  
 Defendant :

(b) Each new domestic relations action shall have a caption that identifies the litigant who commences the action as the Plaintiff and the other litigant(s) as the defendant(s). Every domestic relations action shall be filed to the same domestic relations (DR) docket number as all other pending domestic relations actions involving the same parties. In the event no domestic relations action has been previously filed naming the same parties, the prothonotary shall assign a DR docket number to the initial domestic relations action filed between the parties, and that DR docket number shall thereafter be utilized for all future domestic relations actions between the parties.

(c) In addition to the domestic relations (DR) docket number, a separate civil action (CV) docket number shall

be assigned to each type of domestic relations action (e.g., divorce, custody, support, or protection from abuse). The filing party shall designate parenthetically after the civil case (CV) docket number the type of action.

(d) All pleadings filed in support actions shall include the PACSES Case Number in the caption.

(e) There shall be one custody action, filed to the same DR and CV docket numbers, for all custody matters involving the same child or children. Any custody action or pleading filed by a litigant with respect to a particular child or children shall be filed to the DR and CV docket numbers assigned to any previously filed custody action concerning that particular child or children.

**Rule 1930.3. Motions to Participate by Electronic Means.**

All requests by a party or witness to participate by electronic means in a domestic relations proceeding shall be made by the filing of a written motion with the court.

**Rule 1930.4-1. Service of Legal Papers Other Than Original Process.**

(a) *Manner of Service.* Copies of all legal papers other than original process filed in an action or served upon any party shall be served upon every other party to the action in conformity with Pa.R.C.P. 440.

(b) *Time for Service.* Service shall be made upon every other party to the action on or before the date the legal paper is filed with the court.

(c) *Certificate of Service.* A certificate of service shall be filed together with any legal papers other than original process filed in an action or served upon any party. The certificate of service shall identify the document served, the individual(s) served, the address(es) where service is made, and the manner of service, and shall be signed by the person responsible for service.

**Rule 1930.8. Self-Represented Party—Rescinded, effective \_\_\_\_\_**

[Pa.B. Doc. No. 17-2167. Filed for public inspection December 29, 2017, 9:00 a.m.]

**WYOMING AND SULLIVAN COUNTIES****Local Rule of Judicial Administration Governing Public Access Policy; No. 2017-1358****Order of Court**

*And Now*, this 12th day of December, 2017, in compliance with Sections 7 and 8 of the Public Access Policy of the Unified Judicial System of Pennsylvania,

*It Is Ordered* that the Court adopts the following Rules of Judicial Administration, General Rule No. 7 and General Rule No. 8, regarding public access to confidential information, which becomes effective January 6, 2018.

The District Court Administrator is hereby ordered to:

1. File one copy of this Order with the Administrative Office of Pennsylvania Courts to [adminrules@pacourts.us](mailto:adminrules@pacourts.us).
2. Submit two paper copies of this Order and one (1) electronic copy in Microsoft Word format to [bulletin@palrb.us](mailto:bulletin@palrb.us) with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish a copy of this Rule on the court's website after publication in the *Pennsylvania Bulletin*.
4. Provide one copy of this Order to the members of the Wyoming and Sullivan County Bar Association.
5. File this order in the Prothonotary's Offices of Wyoming County and Sullivan County.

*By the Court*

RUSSELL D. SHURTLEFF,  
*President Judge*

**Rule of Judicial Administration, General Rule No. 7. Confidential Information. Public Access Policy for the Court of Common Pleas.**

A. In accordance with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, attorneys and self-represented parties shall not include the following confidential information in any document filed with the appro-

priate filing office (Prothonotary, Clerk of Courts and Clerk of Orphans' Court), except on the Confidential Information Form designed and published by the Administrative Office of Pennsylvania Courts.

1. Social Security Numbers;
2. Financial Account Numbers, except an active financial account number may be identified by the last four digits when the financial account is the subject of the case and cannot otherwise be identified;
3. Driver's License Numbers;
4. State Identification (SID) numbers;
5. Minors names and dates of birth except when a minor is charged as a defendant in a criminal matter (see 42 Pa.C.S. § 6355); and
6. Abuse victim's address and other contact information, including employer's name, address and work schedule, in family court as defined by Pa.R.C.P. 1931(a), except for victim's name.

B. Attorneys and self-represented parties shall file the Confidential Information Form in the appropriate filing office (Prothonotary, Clerk of Courts and Clerk of Orphans' Court) contemporaneously with the document.

C. This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority. Examples of such cases are juvenile cases, child support cases and adoption.

D. Attorneys and self-represented parties shall be solely responsible for complying with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts and the applicable state and local rules and shall certify their compliance to the Court. This certification shall accompany each filing and shall be substantially in the following form: "I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents."

E. The court of appropriate filing office (Prothonotary, Clerk of Courts and Clerk of Orphans' Court) is not required and will not review or redact any filed document for compliance with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts.

F. Confidential information filed in accordance with the Public Access Policy shall be on a standardized Confidential Form provided by the Administrative Office of Pennsylvania Courts. The form shall be available in the Prothonotary's Office as well as on the Court's website at [www.wycopa.org](http://www.wycopa.org). Failure to comply with the requirements may result in the matter being before the court for hearing or sanctions.

**Rule of Judicial Administration, General Rule No. 8. Confidential Documents. Public Access Policy for the Court of Common Pleas.**

A. In accordance with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, attorneys and self-represented parties shall file the following confidential documents with the appropriate filing office (Prothonotary, Clerk of Courts and Clerk of Orphans' Court), under a cover sheet titled "Confidential Document Form" designed and published by the Administrative Office of Pennsylvania Courts.

1. Financial Source Documents;
2. Minors' educational records;
3. Medical/Psychological records;
4. Children and Youth Services' records;
5. Marital Property Inventory and Pre-Trial Statement as provided in Pa.R.C.P. 1920.33;
6. Income and Expense Statements as provided in Pa.R.C.P. 1910.27(c); and
7. Agreements between parties as used in 23 Pa.C.S. § 3105.

B. Confidential documents submitted with the Confidential Document Form shall not be accessible to the public, except as ordered by the court. The Confidential Document Form shall be accessible to the public.

C. This section is not applicable to cases that are sealed or exempted from public access pursuant to applicable authority. Examples of such cases are juvenile cases, child support cases and adoption.

D. Attorneys and self-represented parties shall be solely responsible for complying with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts and the applicable state and local rules and shall certify their compliance to the Court. This certification shall accompany each filing and shall be substantially in the following form: "I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents."

E. The court of appropriate filing office (Prothonotary, Clerk of Courts and Clerk of Orphans' Court) is not required and will not review or redact any filed document for compliance with the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts.

F. Confidential information filed in accordance with the Public Access Policy shall be on a standardized Confidential Form provided by the Administrative Office of Pennsylvania Courts. The form shall be available in the Prothonotary's Office as well as on the Court's website at [www.wycopa.org](http://www.wycopa.org). Failure to comply with the requirements may result in the matter being before the court for hearing or sanctions.

[Pa.B. Doc. No. 17-2168. Filed for public inspection December 29, 2017, 9:00 a.m.]

## COMMONWEALTH COURT

### Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts; No. 126 Misc. Doc. No. 3

#### Order

*And Now*, this 12th day of December, 2017, in accordance with Section 7(C) of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts, it is hereby *Ordered* that all documents filed with the Commonwealth Court of Pennsylvania that contain confidential information shall be filed in two versions, a redacted version and an unredacted version.

This Order shall be effective January 6, 2018.

MARY HANNAH LEAVITT,  
*President Judge*

[Pa.B. Doc. No. 17-2169. Filed for public inspection December 29, 2017, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Suspension

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated December 14, 2017, Burt Lee Burnett (# 307992) whose registered address is 342 Cedar, Abilene, TX, is Suspended from the Bar of this Commonwealth for a period of one year. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

JULIA M. FRANKSTON-MORRIS, Esq.,  
*Secretary*  
*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 17-2170. Filed for public inspection December 29, 2017, 9:00 a.m.]

# PROPOSED RULEMAKING

## ENVIRONMENTAL QUALITY BOARD

## GAME COMMISSION

[ 25 PA. CODE CH. 93 ]

[ 58 PA. CODE CHS. 135 AND 147 ]  
Hunting and Trapping; Special Permits

### Triennial Review of Water Quality Standards; Public Comment Period Extension and Additional Public Hearing

By this notice, the public comment period on the proposed rulemaking published at 47 Pa.B. 6609 (October 21, 2017) is extended to February 16, 2018. In addition to the public comment period extension, the Environmental Quality Board (Board) will be holding one additional public hearing.

The hearing will be held beginning at 2 p.m. on the following date:

January 30, 2018    Department of Environmental Protection  
Southeast Regional Office  
Delaware and Schuylkill Conference Rooms  
2 East Main Street  
Norristown, PA 19401

Persons wishing to present testimony at the hearing are requested to contact the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526 at least 1 week in advance of the hearing to reserve a time to present testimony. Testimony is limited to 5 minutes for each witness. Witnesses are requested to submit three written copies of their verbal testimony to the hearing chairperson at the hearing. Organizations are limited to designating one witness to present testimony on their behalf.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Board at (717) 787-4526 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) or (800) 654-5988 (voice users) to discuss how the Board may accommodate their needs.

Interested persons are invited to submit to the Board written comments, suggestions, support or objections regarding the proposed rulemaking. Comments, suggestions, support or objections must be received by the Board by February 16, 2018. Comments may be submitted to the Board by accessing eComment at <http://www.ahs.dep.pa.gov/eComment>. Comments may also be submitted to the Board by e-mail at [RegComments@pa.gov](mailto:RegComments@pa.gov). A subject heading of the proposed rulemaking and a return name and address must be included in each transmission. If an acknowledgment of comments submitted online or by e-mail is not received by the sender within 2 working days, the comments should be retransmitted to the Board to ensure receipt. Comments submitted by facsimile will not be accepted.

Written comments should be mailed to the Environmental Quality Board, P.O. Box 8477, Harrisburg, PA 17105-8477. Express mail should be sent to the Environmental Quality Board, Rachel Carson State Office Building, 16th Floor, 400 Market Street, Harrisburg, PA 17101-2301.

PATRICK McDONNELL,  
*Chairperson*

[Pa.B. Doc. No. 17-2171. Filed for public inspection December 29, 2017, 9:00 a.m.]

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) proposed at its June 26, 2017, meeting to amend §§ 135.2 and 135.48—135.55 and add Chapter 147, Subchapter AA (relating to disabled person access permit) to permit the use of wheelchairs anywhere persons may lawfully walk, define “mobility devices,” provide for the use of mobility devices and motor vehicles on suitable designated routes on State game lands and define the parameters of acceptable use of mobility devices on State game lands to avoid or minimize damage to wildlife resources or conflicts with other lawful users of the State game lands system.

This proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for this proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

This proposed rulemaking was made public at the September 26, 2017, meeting of the Commission. Comments can be sent until January 26, 2018, to the Director, Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. Purpose and Authority

The Commission recently conducted an extensive review of public access to State game lands by persons with mobility challenges. This evaluation included various public meetings and requests for public comment. Based upon the results of this evaluation, the Commission is seeking improvements that will enhance public access to its State game lands by persons with mobility disabilities while simultaneously protecting the wildlife resources and avoidance or minimization of conflicts with other lawful users of the State game lands system. To reach this purpose, the Commission is proposing to amend §§ 135.2 and 135.48—135.55 and add Chapter 147, Subchapter AA. Among other things, these proposed amendments will permit the use of wheelchairs anywhere persons may lawfully walk, define “mobility devices,” provide for the use of mobility devices and motor vehicles on suitable designated routes on State game lands and define the parameters of acceptable use of mobility devices on State game lands to avoid or minimize damage to wildlife resources or conflicts with other lawful users of the State game lands system.

Section 721(a) of the code (relating to control of property) provides “[t]he administration of all lands or waters owned, leased or otherwise controlled by the commission shall be under the sole control of the director, and the commission shall promulgate regulations consistent with the purpose of this title for its use and protection as necessary to properly manage these lands or waters.” Section 2901(b) of the code (relating to authority to issue permits) provides “the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued.”

The amendments to §§ 135.2 and 135.48—135.55 and the addition of Chapter 147, Subchapter AA are proposed under these authorities.

2. *Regulatory Requirements*

This proposed rulemaking will amend §§ 135.2 and 135.48—135.55 and add Chapter 147, Subchapter AA to permit the use of wheelchairs anywhere persons may lawfully walk, define “mobility devices,” provide for the use of mobility devices and motor vehicles on suitable designated routes on State game lands and define the parameters of acceptable use of mobility devices on State game lands to avoid or minimize damage to wildlife resources or conflicts with other lawful users of the State game lands system.

3. *Persons Affected*

Persons with mobility disabilities who wish to access State game lands within this Commonwealth will be affected by this proposed rulemaking.

4. *Cost and Paperwork Requirements*

The proposed rulemaking should not result in an increase in cost and paperwork.

5. *Effective Date*

This proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

6. *Contact Person*

For further information regarding this proposed rulemaking, contact Randy S. Shoup, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

BRYAN J. BURHANS,  
*Executive Director*

**Fiscal Note:** 48-423. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 135. LANDS AND BUILDINGS**

**Subchapter A. GENERAL PROVISIONS**

§ 135.2. **Unlawful actions.**

In addition to the prohibitions in the act on lands, waters or buildings under Commission ownership, lease, agreement, control or jurisdiction, it is unlawful, except with the permission of the person in charge of the lands, or the written permission of the Director to:

\* \* \* \* \*

(3) Travel on lands by means of vehicle or conveyance propelled by motorized power. [ **This prohibition does not include the travel by individuals permanently confined to a wheelchair propelled by electric power obtained from batteries. Individuals desiring to hunt from an electric powered wheelchair shall have a disabled person permit under section 2923 of the act (relating to disabled person permits). This provision is not intended to restrict travel by certain devices used for persons with mobility disabilities as specifically authorized under Subchapter C (relating to State game lands).** ]

\* \* \* \* \*

**Subchapter C. STATE GAME LANDS**

§ 135.48. [ **State game lands roads open to vehicular traffic for disabled persons.** ] Purpose and scope.

[ (a) *Vehicular traffic permitted.* Vehicular traffic will be permitted on designated roads on State game lands for persons issued a Disabled Persons Permit under section 2923(a) of the act (relating to disabled person permits). State game lands roads open to vehicular traffic for disabled persons will be designated by the Director. The Commission will make a list of these open roads available to the permittee.

(1) Roads designated for limited open travel will be open from 14 days prior to the opening day of archery season to the closing day of the muzzleloader/archery season. Any travel authorized by this section is subject to further limitation based upon existing weather or road conditions as indicated by conspicuous signage or postings.

(2) A permittee may be accompanied by only one person, and before participating in hunting in any manner that person shall be in possession of a valid Pennsylvania hunting or furtakers license. The permittee may also be accompanied by one or more of the permittee’s children who hold a valid junior hunting or furtakers license.

(b) *Additional reference.* See § 135.2 (relating to unlawful acts). ]

It is the policy of the Commission to promote public access to State game lands for persons with mobility disabilities in compliance with the United States Department of Justice regulations in 28 CFR Part 35 (relating to nondiscrimination on the basis of disability in state and local government services). Sections 135.49—135.55 set forth how, where and when persons with mobility disabilities may access State game lands with powered wheelchairs, powered mobility devices and motor-vehicles.

§ 135.49. [ **Scope.** ] Definitions.

[ Sections 135.50—135.56 regulate the use of ATVs on State game lands by disabled persons. ]

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

*ATV—All-terrain vehicle*—A device meeting the definition in 75 Pa.C.S. § 7702 (relating to definitions).

*Designated route*—

(i) State game land access or maintenance roads and trails that have been designated by the Director to be open for travel by persons with mobility disabilities using certain powered vehicles and conveyances.

(ii) The term does not include roads that are open to motor vehicle access by the general public.

*Disability*—A person’s physical or mental impairment that substantially limits his mobility.

*Disabled person access permit*—A permit issued by the Commission under Chapter 147, Subchapter AA (relating to disabled person access permit) to



authorize persons with mobility disabilities to utilize mobility devices and motor vehicles to access designated routes on State game lands.

**Mobility device**—A power-driven device, other than a wheelchair, that is used by persons with mobility disabilities for the purpose of locomotion. The term includes ATVs, golf carts, Segways® and other mobility devices designed to operate in areas without defined pedestrian routes, regardless of whether it is designed primarily for use by persons with mobility disabilities.

**Transport vehicle placard**—A placard provided by the Commission to disabled person access permit holders that must be displayed on the dashboard or in a window of the transport vehicle.

**Universal access symbol**—A symbol displaying a wheelchair, generally blue and white, that is widely recognized as evidence that the person who is displaying the symbol is disabled.

**Wheelchair**—

(i) A manually-operated or power-driven device designed primarily for use by individuals with mobility disabilities for the main purpose of indoor or outdoor locomotion, or both.

(ii) The term includes power-driven scooters.

(iii) For the purposes of this subchapter, a wheelchair may not be construed as a mobility device.

§ 135.50. [ Definitions. ] State game lands open to wheelchair access.

[ The following words and terms, when used in this section and §§ 135.49 and 135.51–135.55, have the following meanings, unless the context clearly indicates otherwise:

**ATV—All-terrain vehicle**—

(i) A Class I ATV as defined in 75 Pa.C.S. § 7702(1) (relating to definitions), or a motorized off-highway vehicle 58 inches or less in width, having a dry weight of 900 pounds or less traveling on four or more low-pressure tires and having a bench seat.

(ii) The term does not include a motorized off-highway vehicle excluded from the definition of the term “all-terrain vehicle or ATV” under 75 Pa.C.S. § 7702.

**Designated roads**—State game land access or maintenance road that have been declared open to disabled persons using ATV’s by the Director.

**Permitted person**—A person who qualifies for and is in possession of a permanent Disabled Person Permit to use a vehicle as a blind issued by the Commission and who possesses a valid hunting license.

**Universal access symbol**—A placard on which is displayed a wheelchair, generally blue and white in color that is recognized worldwide as evidence that the person who is displaying the symbol is disabled.

**Towing vehicle placard**—A placard provided by the Commission to permitted persons that shall be displayed on the dashboard or in a window of a vehicle. ]

(a) Persons with mobility disabilities may utilize wheelchairs to access any portion of State game lands where pedestrian foot travel is authorized. In

the event that the Commission restricts pedestrian foot travel in any location through posted signage or otherwise, wheelchair access is also restricted.

(b) Access to State game lands under this section does not require a permit issued under section 2923 of the act (relating to disabled person permits) or Chapter 147, Subchapter AA (relating to disabled person access permit).

(c) Notwithstanding the prohibitions in section 2308(a)(7) of the act (relating to unlawful devices and methods), persons with mobility disabilities may utilize wheelchairs to locate or flush game or wildlife.

(d) Notwithstanding the prohibitions in section 2503 of the act (relating to loaded firearms in vehicles), persons with mobility disabilities may possess loaded firearms or other devices on or in a wheelchair, including when the wheelchair is in motion.

§ 135.51. Designated [ roads on State game lands open to ATVs ] routes open to mobility devices and motor vehicles.

[ State game land roads that will be open for use by permitted persons operating ATVs will be designated by the Director. The Commission will make a list of these open roads available to the permittee, and will provide the list by mail to a permitted person that has applied for a towing vehicle placard.

(1) The Director, or a designee, may close State game lands or portions thereof, to recreational or other uses, when the specified uses may be or has become detrimental to those lands or the flora or fauna thereon, or where the uses conflict with legal hunting, furtaking or fishing activities or the Commission’s management or administration of State game lands. The closure may be seasonal or year-round and shall remain in effect until the Director, or a designee, removes the restrictions. ]

(a) Persons in possession of a valid disabled person access permit issued under Chapter 147, Subchapter AA (relating to disabled person access permit) may utilize mobility devices and motor vehicles to access designated routes on State game lands that have been approved by the Director. Designated routes will be classified to authorize mobility device and motor vehicle combined access or mobility device only access, as determined by route selection assessment criteria approved by the Director.

[ (2) ] (b) Designated [ roads shall ] routes will be open for use by [ permitted ] persons with disabled person access permits from 14 days prior to the opening day of the archery season to the closing day of the late muzzleloader/archery season and during the spring turkey season. Travel authorized by this section is subject to further limitation based upon existing weather or road conditions or the need for emergency or administrative closure, as indicated by conspicuous signage or postings.

§ 135.52. Towing vehicle placard for persons using mobility devices.

[ (a) A permitted person may apply for a towing vehicle placard on a form provided by the Commission.

(b) The towing vehicle placard shall be displayed on the dashboard or in a window of the towing vehicle when the towing vehicle is parked on State game lands. ]

A vehicle used to transport a mobility device for use on designated routes must be marked with a transport vehicle placard issued by the Commission if the transport vehicle is parked on State game lands. The transport vehicle placard must be conspicuously displayed on the dashboard or in a window of the transport vehicle. A transport vehicle placard will be issued by the Commission upon issuance of a disabled person access permit issued under Chapter 147, Subchapter AA (relating to disabled person access permit).

§ 135.53. Operation of [ ATVs on designated State game land roads by permitted persons ] mobility devices and motor vehicles on designated routes.

[ Permitted persons may operate an ATV on designated State game land roads under the following conditions:

(1) The ATV is operated at a speed not to exceed 10 mph.

(2) A universal access symbol for the disabled, at least 3 inches by 3 inches in size is displayed in a prominent place on the ATV while on State game lands.

(3) The ATV is registered with the Department of Conservation and Natural Resources and is displaying the valid registration plate as required under 75 Pa.C.S. §§ 7711.1 and 7711.2 (relating to registration of snowmobile or ATV; and limited registration of snowmobile or ATV).

(4) The ATV is equipped with a fully functional spark arrestor while operating on State game lands. ]

Persons with a valid disabled person access permit issued under Chapter 147, Subchapter AA (relating to disabled person access permit) may operate mobility devices and motor vehicles on designated routes subject to all of the following conditions:

(1) *Safe operation.* Mobility devices and motor vehicles may not be operated on a designated route:

(i) In negligent disregard for the safety of persons or property.

(ii) In excess of 10 miles per hour on any designated route classified for mobility device and motor vehicle combined access.

(iii) In excess of 3 miles per hour on any designated route classified for mobility device only access.

(2) *Marking required.* Mobility devices operated on designated routes must be marked with a universal access symbol placard or sticker that is at least 3 inches by 3 inches in size and displayed in a conspicuous manner.

(3) *ATVs and snowmobiles as mobility devices.* An ATV or snowmobile used as a mobility device on a designated route must be registered with the Department of Conservation and Natural Resources and display the valid registration plate or registra-

tion decal as required under 75 Pa.C.S. §§ 7711.1 and 7711.2 (relating to registration of snowmobile or ATV; and limited registration of snowmobile or ATV).

(4) *Spark arrestors required.* Mobility devices powered by an internal combustion engine must be equipped with a fully functional spark arrestor while operating on a designated route.

(5) *Classification of designated route.* Mobility devices meeting the requirements of this subchapter may access designated routes classified for mobility device and motor vehicle combined access and mobility device only access. Motor vehicles meeting the requirements of this subchapter may access only designated routes classified for mobility device and motor vehicle combined access.

(6) *Limited deviation from designated route authorized.* Persons with a valid disabled person access permit issued under Chapter 147, Subchapter AA may traverse a maximum of 100 yards perpendicular to the nearest designated route road or trail edge to establish a hunting or trapping location, and may not traverse streams, springs, wet areas, food plots or other areas posted against travel.

(7) *Size, weight and noise limited.* Mobility devices may not exceed 65 inches in width and 1,200 pounds in weight. The noise level may not exceed 99 decibels when measured at 20 inches.

(8) *Loaded firearms.* Persons using mobility devices and motor vehicles on designated routes are subject to the restrictions on loaded firearms in, on or against a vehicle under section 2503 of the act (relating to loaded firearms in vehicles), except as may otherwise be authorized under section 2923 of the act (relating to disabled person permits).

§ 135.54. [ Areas of operation and passengers. ]  
Transport of passengers limited.

[ (a) A permitted person may traverse a maximum of 100 yards perpendicular from the nearest road edge to establish a hunting location but may not traverse streams, springs, wet areas or food plots or other areas posted against travel.

(b) When a permitted person is incapable of operating an ATV, the person may be accompanied by one other person who is the operator, if the ATV is designed to carry a passenger.

(c) Except as provided in subsection (b), a permitted person may not carry another person as a passenger on an ATV. ]

A person with a valid disabled person access permit issued under Chapter 147, Subchapter AA (relating to disabled person access permit) who operates a mobility device or motor vehicle on a designated route may be accompanied by only one person in or on the mobility device or motor vehicle, provided the conveyance is designed to carry a passenger. The passenger shall be in possession of a valid Pennsylvania hunting or furtaking license, whichever is applicable to the season pursued, prior to participating in hunting or trapping activities. The person may also be accompanied by one or more youths, provided they possess a valid Pennsylvania junior hunting or furtakers license or applicable mentored youth hunting permit and the

conveyance is designed to carry passengers. When a permitted person is incapable of operating the mobility device or motor vehicle, the person may be accompanied by one other person who is the operator, if the mobility device or motor vehicle is designed to carry a passenger.

§ 135.55. [ Penalties. ] Unlawful acts; penalties.

It is unlawful to operate a mobility device, motor vehicle or other conveyance on State game lands outside of the authorizations in this subchapter. A person who violates a provision of this subchapter shall be subject to the penalties [ as ] provided in the act.

#### CHAPTER 147. SPECIAL PERMITS

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

#### Subchapter AA. DISABLED PERSON ACCESS PERMIT

Sec.

147.1021. Purpose and scope.

147.1022. Eligibility and application.

147.1023. Disabled person access permits.

147.1024. Violations.

##### § 147.1021. Purpose and scope.

This subchapter provides for disabled person access permits to be issued to eligible persons to authorize their holders to utilize mobility devices and motor vehicles to access designated routes on State game lands.

##### § 147.1022. Eligibility and application.

(a) A disabled person access permit will only be issued to a person who provides satisfactory evidence of a mobility disability, which includes any of the following:

(1) A disability parking placard issued by the Department of Transportation (Department). This proof can be either the placard or an identification card issued by the Department documenting the issuance of a disability parking placard.

(2) A disability vehicle registration plate issued by the Department. This proof will be the vehicle registration card bearing a registration number beginning in "PD."

(3) A formal document issued by a state other than the Commonwealth, the District of Columbia, Puerto Rico, Guam, American Samoa, Virgin Islands, Trust Territory of the Pacific Islands and Northern Mariana Islands officially recognizing the existence of a mobility disability.

(4) A disabled person permit issued by the Commission under section 2923 of the act (relating to disabled person permits).

(5) A formal document issued by a medical doctor certifying that the applicant has a mobility disability.

(6) Other satisfactory evidence indicating that the applicant has a mobility disability.

(b) A state-issued proof of a mobility disability must be in the applicant's name and unexpired. If the state-issued proof of a mobility disability evidences an expiration date or the mobility disability is temporary in nature, the Commission will apply a corresponding expiration date to a permit issued under this subchapter.

(c) An application for a disabled person access permit issued under this subchapter shall be made on a form provided by the Commission.

(d) An application must include the name, customer identification number and contact information of the permit applicant.

(e) There is not a fee for a disabled person access permit.

##### § 147.1023. Disabled person access permits.

A disabled person access permit issued under this subchapter authorizes the permittee to utilize mobility devices and motor vehicles to access designated routes on State game lands as set forth in Chapter 135, Subchapter C (relating to State game lands).

##### § 147.1024. Violations.

The Director may deny, revoke or suspend a permit for a violation of this subchapter upon written notice to the permittee.

[Pa.B. Doc. No. 17-2172. Filed for public inspection December 29, 2017, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Department of Human Services

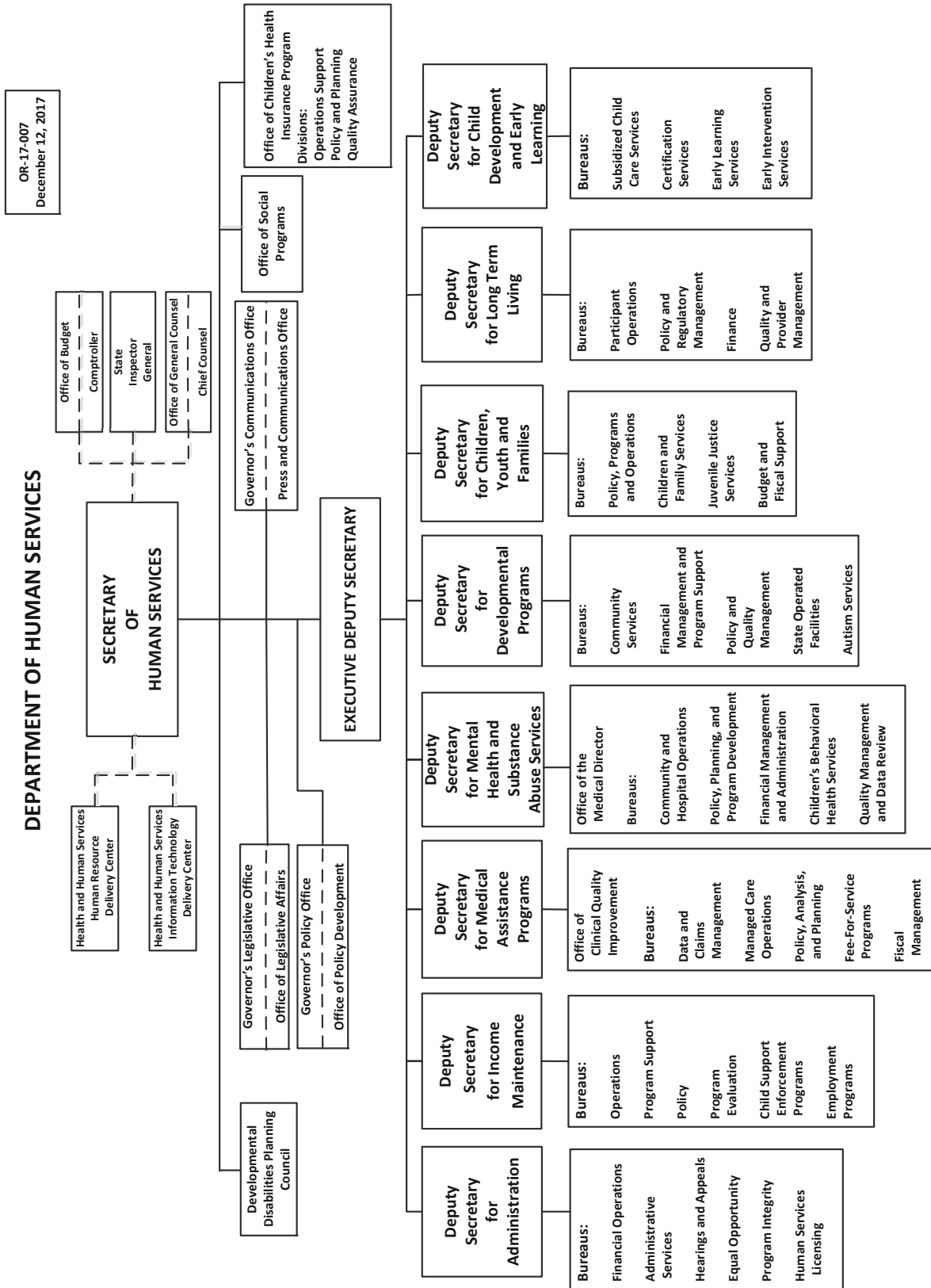
The Executive Board approved a reorganization of the Department of Human Services effective December 12, 2017.

The organization chart at 47 Pa.B. 7858 (December 30, 2017) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

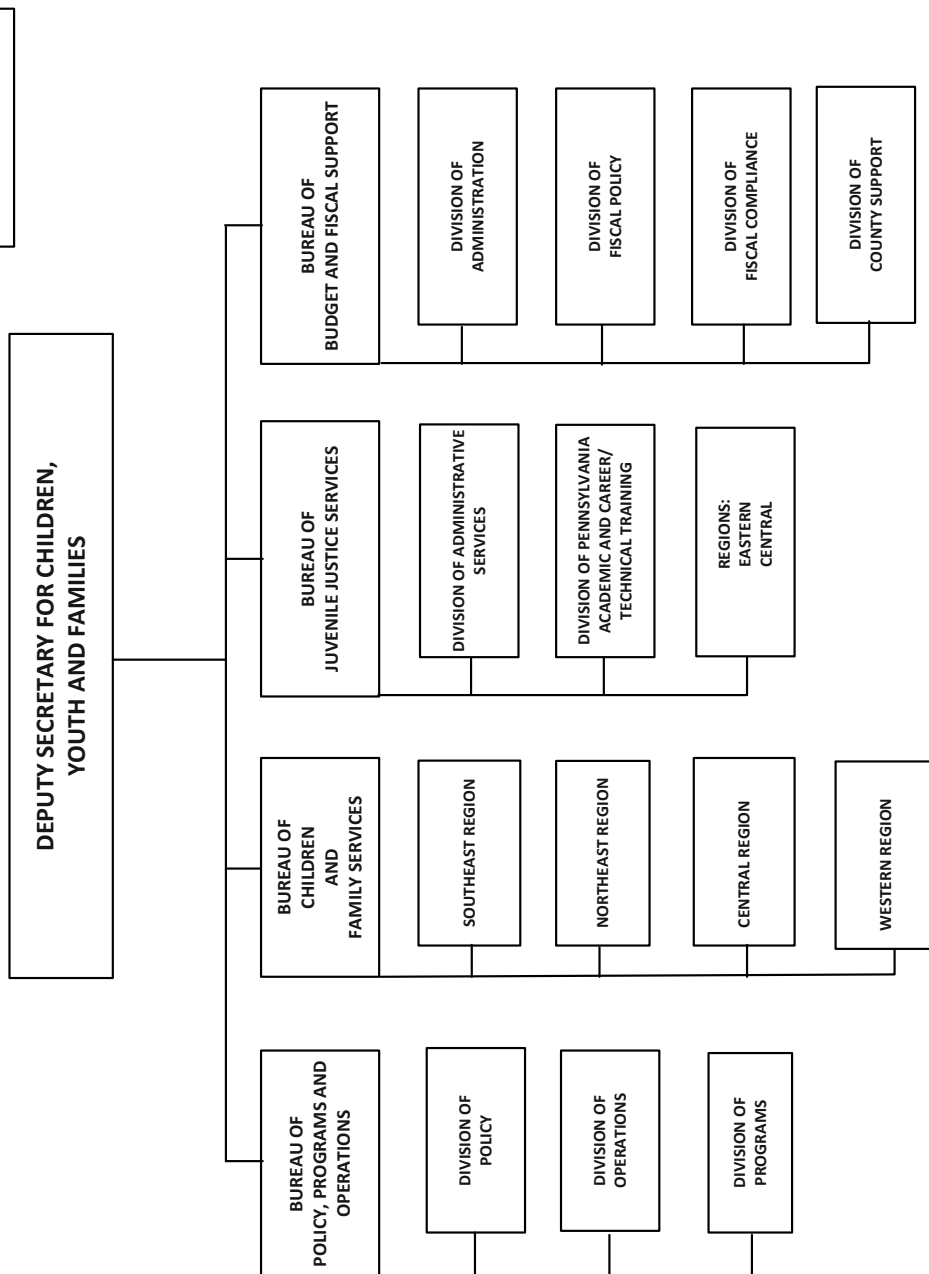
[Pa.B. Doc. No. 17-2173. Filed for public inspection December 29, 2017, 9:00 a.m.]

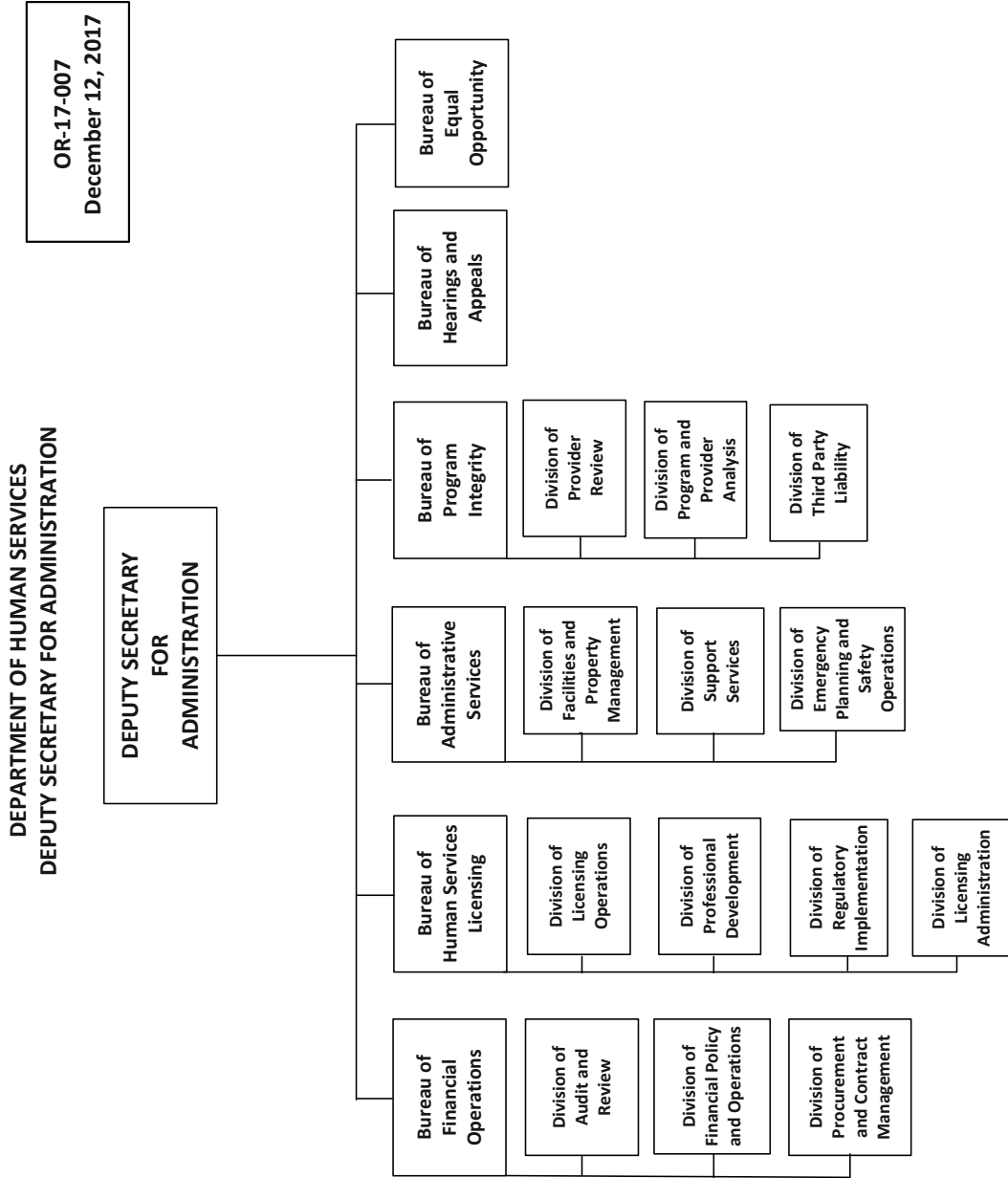
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DEPARTMENT OF HUMAN SERVICES  
DEPUTY SECRETARY FOR CHILDREN, YOUTH AND FAMILIES

OR-17-007  
December 12, 2017





# DEPARTMENT OF ENVIRONMENTAL PROTECTION

[ 25 PA. CODE CH. 16 ]

## Water Quality Toxics Management Strategy; Public Comment Period Extension and Additional Public Hearing

By this notice, the public comment period on the proposed statement of policy published at 47 Pa.B. 6703 (October 21, 2017) is extended to February 16, 2018. In addition to the public comment period extension, the Department of Environmental Protection (Department) will be holding one additional public hearing.

The hearing will be held beginning at 1 p.m. on the following date:

January 30, 2018     Department of Environmental Protection  
                                 Southeast Regional Office  
                                 Delaware and Schuylkill Conference Rooms  
                                 2 East Main Street  
                                 Norristown, PA 19401

Persons wishing to present testimony at this hearing are requested to contact Thomas A. Barron at (717) 787-9637 or tbarron@pa.gov at least 1 week in advance of

the hearing to reserve a time to present testimony. Verbal testimony is limited to 5 minutes for each witness. Witnesses are requested to submit three written copies of their testimony to the hearing chairperson. Organizations are limited to designating one witness to present testimony on their behalf at the hearing.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Thomas A. Barron at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

The Department invites public comments on this proposed statement of policy and will accept comments through February 16, 2018. Comments, including comments submitted by e-mail, must include the originator's name and address. A subject heading of the proposal and return name and address must also be included in each transmission. Commentators are urged to submit comments using the Department's online eComment system at [www.ahs.dep.pa.gov/eComment](http://www.ahs.dep.pa.gov/eComment). Written comments should be submitted by e-mail to [ecomment@pa.gov](mailto:ecomment@pa.gov) or by mail to the Department of Environmental Protection, Policy Office, Rachel Carson State Office Building, P.O. Box 2063, Harrisburg, PA 17105-2063. Comments submitted by facsimile will not be accepted.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-2174. Filed for public inspection December 29, 2017, 9:00 a.m.]



# NOTICES

## DEPARTMENT OF AGING

### Pennsylvania Long-Term Care Council Meetings

The Pennsylvania Long-Term Care Council (Council) will hold meetings at 10 a.m. on February 15, 2018, April 12, 2018, June 14, 2018, August 23, 2018, October 25, 2018, and December 6, 2018.

Meetings of the Council will be held at the Pennsylvania Farm Show Complex and Expo Center, Keystone Conference Center, 2300 North Cameron Street, Harrisburg, PA. The Keystone Conference Center is located on the second floor of the Maclay Street side of the Complex.

Any questions or concerns regarding these meetings may be directed to Charles Quinnan, Council Executive Director, (717) 705-7296, [cquinnan@pa.gov](mailto:cquinnan@pa.gov).

TERESA OSBORNE,  
Secretary

[Pa.B. Doc. No. 17-2175. Filed for public inspection December 29, 2017, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Agricultural Research Project Contractors

The Department of Agriculture (Department) is soliciting applications to conduct agricultural research on one or more of the following research topic areas, with the research to be conducted from July 1, 2017, to June 30, 2018, with the possibility (but not the assurance) of extending that research into subsequent years.

This notice establishes the procedures by which grant applications will be solicited and reviewed, and by which grants will be awarded.

1. *Grant Solicitation.* The Department will be accepting grant applications for the purposes, in the form and according to the schedule set forth as follows. Additional publication and dissemination of this notice shall be made to applicants who have previously submitted grant applications to or received grants from the Department as well as any individuals or entities who have requested notification from the Department of grant availability.

2. *Research Topic Areas.* The research topics the Department is interested in funding are as follows:

a. *Ongoing Multiyear Research Projects.* The Department has, in previous years, provided funding for various multiyear research projects that might be continued or extended to complete research the Department identifies as addressing continued priorities of the agricultural industry. The Department will consider proposals to continue supporting previously funded research.

b. *Spotted Lanternfly.* Spotted lanternfly, *Lycorma delicatula*, was detected in this Commonwealth 3 years ago, and quickly established itself as a damaging pest in neighborhoods, forests and agricultural settings. As with any new invasive species, significant knowledge gaps exist in understanding of the pest and its potential effects on this Commonwealth. The Department will consider

research proposals that address basic and applied research on spotted lanternfly, with priority given to proposals that analyze the pest's economic impacts on agriculture, general commerce and communities, on integrated pest management strategies for agricultural commodities of importance to this Commonwealth and on basic biological research that will allow us to develop more sophisticated, cost-effective and environmentally-low-impact control strategies.

c. *Farm Safety.* There is an extant body of research on the efficacy of practices and technologies to preserve the safety of farmers engaged in production agriculture. Despite this knowledge, adoption of these practices and technologies remains limited, threatening the lives and livelihoods of farmers. The Department will accept research proposals for a behavioral study of what makes a farmer more or less likely to make the rather modest investment in farm safety practices and technologies, with the objective of finding what messages do and do not resonate with the target audience and spur a farmer to action.

d. *Farmland Preservation.* Over the past three decades, the Commonwealth has invested approximately \$1.5 billion to protect from the prospect of development high-value farmland for agricultural production in perpetuity. Ten years ago a study indicated that farmland contributes far more in tax dollars than it demands in services, unlike residential land which generally demands more in services than it contributes in tax dollars. New contemporary research is needed to update this understanding of the return on investment in the public's support for farmland preservation programs. The Department seeks research proposals for projects that quantify this return, as well as the direct and indirect economic contribution of preserved farms to this Commonwealth's economy, and the actual and avoided public service costs for preserved land compared to developed tracts.

e. *Banking and Market Development.* Access to capital is often cited as a challenge for those in production agriculture, yet there is a dearth of research as to the accessibility to debt financing among the agriculture industry and different geographic regions of this Commonwealth. The Department seeks research proposals to assess the current lending environment in the farming industry in this Commonwealth. Proposals should attempt to quantify total loan originations, total loan volume, operating loans as percent of total nonreal estate loans and delinquency rates, among other factors. Research proposals should also seek to identify: differences in loan activity and performance between counties or regions, or both, of this Commonwealth; factors influencing loan repayments; what barriers exist to accessing financial capital; and whether particular counties or regions of this Commonwealth are underserved by financial service providers and products.

f. *Workforce Development.* Developing a workforce development plan specific to agriculture is a priority of the Department. Initial research suggests nearly 75,000 employment vacancies will occur over the next decade within this Commonwealth's agriculture and food industries. The Department is interested in finding ways to increase the education and training opportunities in the industry for people who are high school graduates, but do not wish to participate in post-secondary education. The Department seeks proposals from entities from within or that support

the agriculture and food industry to design and implement micro-credentials or badges that teach specific skills that are not a part of the formal education systems. Interested parties will use a specific format for credential development provided by the Department. Mini-grants not to exceed \$2,500 will be used to support development efforts and the process that will be used to evaluate the efficacy of the credential.

*g. Agricultural Environmental Solutions.* This Commonwealth has a distinct and immediate opportunity to make a lasting positive impact on water quality within this Commonwealth and greater Chesapeake Bay (Bay) Watershed. With over 15,000 miles of streams and rivers, the Commonwealth provides 50% of the freshwater to the Bay annually, and over 90% of the freshwater to the upper Bay. These streams and rivers also provide critical recreational and drinking water sources within this Commonwealth. Within the Bay Watershed portion of this Commonwealth are approximately 34,000 small farms under 150 acres in size. These farms contribute strongly to this Commonwealth's economy as well as the nutrient load in Commonwealth waters and to the Bay. The Department will accept research proposals that: introduce new methods and technology for cost-effective total maximum daily load reduction for nutrient waste streams amongst farms in the Bay Watershed; or introduce the drying and pelletizing of chicken manure as a best practice in sustainable farm management and proving an economically viable approach by creating a flexible pelletizing service.

*h. Hydroponics and Aquaponics.* Within this Commonwealth, hydroponics and aquaponics systems have been recognized as an excellent way to teach science, technology, engineering and math knowledge and skills and as technology cluster that can support additional economic development in the food sector. The Department is interested in supporting action research where a hydroponics and aquaponics practitioner and an academic researcher collaborate on research that can solve practical problems experienced by these operations. Mini-grants of no more than \$5,000 will be awarded to address issues such as, but not limited to, bringing production to a larger scale, lighting, nutrient solutions, integrated pest management and integration into broader market structures. The practitioner needs to apply the research-based solution and report their results for inclusion on a public database as a part of the project.

*i. Urban Agriculture.* Urban agriculture and intensive agriculture practices have grown exponentially across this Commonwealth in recent years. There are hundreds of projects operating in this Commonwealth's urban centers. The Department will accept proposals for research projects supported by mini-grants of no more than \$5,000 where an urban agriculture practitioner and an academic researcher collaborate to solve a problem related to urban agriculture practice. Topics may include, but are not limited to, season extension, soil testing and remediation, intensive farming, production of new crops, adding value through canning and other forms of preservation, and new distribution and marketing processes. The practitioner needs to apply the research-based solution and report their results for inclusion on a public database as a part of the project.

*j. Avian Vaccinations.* Avian influenza—both the low-pathogenic and high-pathogenic forms—is a top-of-mind concern for the poultry industry. The 2015 outbreak of high-pathogenic avian influenza decimated Midwestern United States poultry operations. Marek's disease, which

appeared to be well controlled for decades, has once again begun to plague the poultry layer industry. Much work remains to be done to develop vaccines to protect birds and the industry. The Department will accept proposals that seek to research the efficacy of various vaccines available in the United States and international markets, particularly those that study the in ovo application of vaccines.

*3. Grant Agreement.* The terms and conditions of the grant will be governed by a grant agreement between the Department and the applicant which shall be tendered to the applicant for execution, returnable in no more than 30 days.

*4. Application Delivery and Deadline.* Interested applicants must deliver a complete research project proposal and grant application to the Department by 4 p.m. on Friday, January 26, 2018, if hand-delivered, or by mail post-marked on or before that same date. Applications should be addressed and delivered to the Department of Agriculture, ATTN: Michael Smith, Executive Deputy Secretary, 2301 North Cameron Street, Harrisburg, PA 17110.

*5. Format of the Project Proposal and Grant Application.* The project proposal and grant application shall be formatted as follows:

a. A cover page, titled Agricultural Research Project Proposal and Grant Application, providing: i) the title of the proposed project; ii) the name and address of the applicant; iii) the name, address, telephone number and e-mail address of the applicant's principal contact person for matters relating to the application; and iv) the total maximum grant amount sought for the proposed project.

b. Section 1, titled Statement of Purpose, explaining or presenting: i) the purpose for which the grant funds would be utilized; ii) how the project aligns with one or more of the research topics presented in Paragraph No. 2; iii) details of the proposed project, including a statement of expected impact of outcomes, staffing for the project, and objectives and methodologies.

c. Section 2, titled Statement of Need, explaining the need for the grant funds sought, and identifying the presence of any additional funding partners and the extent of that funding.

d. Section 3, titled Budget, presenting a detailed budget for the proposed project.

e. Section 4, titled Criteria for Measuring Outcomes, identifying methods for measuring outcomes.

f. Section 5, titled Industry Involvement, describing the extent of any support, participation and funding from agricultural industry, including any written confirmation of that support, participation or funding.

*6. Scoring of Applications.* The Department will evaluate each complete and timely-filed project proposal and grant application it receives, using a 100-point scale assessing:

a. up to 10 points for the research project needs statement.

b. up to 15 points for the impact of research outcomes.

c. up to 5 points for the presence of additional funding partners.

d. up to 30 points for the research methodology.

e. up to 20 points for project evaluation and replicability.

f. up to 20 points for support and participation from industry.

7. *Scores.* Upon completion of evaluations, the Department will prepare a record identifying each complete and timely-filed project proposal and grant application received and the numerical score assigned to each. The Department shall award grants based upon its evaluation and scoring.

8. *Multiyear Projects or Extensions.* The Department may award grant funding for multiyear projects or extensions of an ongoing project, if the Department identifies that a multiyear term or an extension advances the grant's objectives. Requests for extensions of ongoing projects shall be made, evaluated and processed in accordance with all the requirements of this notice.

9. *Notice of Award.* Applicants shall be notified by mail of the decision on their grant applications by the Department. Best efforts will be made to do so within 15 days of the application deadline.

10. *Grant Agreement.* With the mailed grant award notice, the Department will provide applicants with a grant agreement for execution and return within 30 days. The Department will obtain the required Commonwealth signatures on the grant agreements and return a copy of

the fully-executed grant agreement to the applicant. No grant agreement is effective and work should not commence until all required signatures have been applied to the grant agreement. Among the terms of the grant agreement shall be a requirement that the grant recipient provide the Department full and complete access to all records relating to the performance of the project and submit such information as the Department may require.

11. *Nonmatching Cost-Reimbursable Grant.* Grants made hereunder do not require the applicant secure or devote a matching sum to the project. Payment of grant funds will occur on a reimbursement basis, with an advance payment option.

12. *Reporting Requirements.* Upon completion of research projects funded through this program, grant recipients will submit to the Department within 60 days a final report detailing the nature of the questions under study, an explanation of the research design and methods, findings of the research and recommendations for future study.

RUSSELL C. REDDING,  
*Secretary*

[Pa.B. Doc. No. 17-2176. Filed for public inspection December 29, 2017, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 19, 2017.

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

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-14-2017	Atlantic Community Bancshares, Inc. Camp Hill Cumberland County  Application for approval to acquire 100% of BBN Financial Corp., Glastonbury, CT, and thereby indirectly acquire 100% of Bankers' Bank Northeast, Glastonbury, CT.	Approved
12-15-2017	Bryn Mawr Bank Corporation Bryn Mawr Montgomery County  Application for approval to acquire 100% of Royal Bancshares of Pennsylvania, Inc., Narberth, and thereby indirectly acquire 100% of Royal Bank America, Narberth.	Effective

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-14-2017	Atlantic Community Bankers Bank Camp Hill Cumberland County  Application for approval to merge Bankers' Bank Northeast, Glastonbury, CT, with and into Atlantic Community Bankers Bank, Camp Hill, PA.	Approved

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-15-2017	The Bryn Mawr Trust Company Bryn Mawr Montgomery County	Effective
	Merger of Royal Bank America, Narberth, with and into The Bryn Mawr Trust Company, Bryn Mawr.	
	All branch offices of Royal Bank America will become branch offices of The Bryn Mawr Trust Company including the former main office of Royal Bank America located at:	
	732 Montgomery Avenue Narberth Montgomery County	

**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-16-2017	CNB Bank Clearfield Clearfield County	5190 Sheridan Drive Williamsville Erie County, NY	Opened
12-14-2017	Somerset Trust Company Somerset Somerset County	12120 US 30 North Huntingdon Westmoreland County	Approved
12-14-2017	York Traditions Bank York York County	100-102 North George Street York York County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-1-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	12301 Knights Road Philadelphia Philadelphia County	Closed
12-1-2017	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	777 Park Avenue Meadville Crawford County	Closed
12-1-2017	CNB Bank Clearfield Clearfield County	1605 Marion Road Bucyrus Crawford County, OH	Closed
12-8-2017	First Commonwealth Bank Indiana Indiana County	2121 Bethel Road Columbus Franklin County, OH	Closed

**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. 17-2177. Filed for public inspection December 29, 2017, 9:00 a.m.]

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a

General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

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

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

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

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

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

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

### **I. NPDES Renewal Applications.**

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

**NPDES Permit No. PA0012149**, Industrial, **Dixon Ticonderoga**, 615 Crescent Executive Court, Lake Mary, FL 32746, West Brunswick Township, **Schuylkill County**.

The following notice reflects changes to the notice published at 47 Pa.B. 1640, 1641 (March 18, 2017):

Reduced Permit basis flow (0.045 MGD); New Trichloroethylene limit; two new Internal Monitor Points; and additional monitoring/reporting of Manganese, 1,2-cis-Dichloroethylene & 1,2-Trans-Dichloroethylene.

*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>
PA0246891	US Army Letterkenny Army Depot 1 Overcash Avenue Chambersburg, PA 17201-4150	Greene Township Franklin County	UNT Rocky Spring Branch, 13C	N

*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>
PA0037397 (Sewage)	Waterford Borough STP P.O. Box 49 30 South Park Row Waterford, PA 16441-0049	Erie County Waterford Borough	LeBoeuf Creek (16-A)	Yes

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

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

**PA0020621**, Sewage, SIC Code 4952, **Waynesboro Borough Authority Franklin County**, PO Box 310, Waynesboro, PA 17268-0310. Facility Name: Waynesboro STP. This existing facility is located in Waynesboro Borough, **Franklin 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 East Branch Antietam Creek, is located in State Water Plan watershed 13-C and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	7.0	XXX	9.0 Max	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.36	XXX	1.17
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	330	530	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	400 Report	600 Report Daily Max	XXX	30 Report	45 XXX	60 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
Ammonia-Nitrogen Nov 1 - Apr 30	180	XXX	XXX	13.5	XXX	27
May 1 - Oct 31	60	XXX	XXX	4.5	XXX	9
Copper, Total	XXX	XXX	XXX	0.053	0.132 Daily Max	XXX
Aluminum, Total (Interim)	XXX	XXX	XXX	Report	Report Daily Max	XXX
(Final) *	XXX	XXX	XXX	Report	Report Daily Max	XXX
Cyanide, Free (Interim)	XXX	XXX	XXX	Report	Report Daily Max	XXX
(Final) **	XXX	XXX	XXX	0.032	0.05 Daily Max	XXX

\* Subject to re-evaluation at the end of interim period

\*\* Subject to Phase 1 TRE study results

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

Parameter	Mass Units (lbs)			Effluent Limitations Concentrations (mg/L)		
	Monthly	Annual	Monthly Average	Maximum	Instant. Maximum	Instant. Maximum
Ammonia—N	Report	Report	Report	XXX	XXX	XXX
Kjeldahl—N	Report	XXX	Report	XXX	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	Report	XXX	XXX	XXX
Total Nitrogen	Report	Report	Report	XXX	XXX	XXX
Total Phosphorus	Report	Report	Report	XXX	XXX	XXX
Net Total N	Report	29,223	XXX	XXX	XXX	XXX
Net Total P	Report	3,896	XXX	XXX	XXX	XXX

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

- Chesapeake Bay nutrients requirements
- TRE study for Free Cyanide
- Stormwater discharge conditions
- Solids management for non-lagoon system
- Whole Effluent Toxicity
- Chlorine minimization
- Notification of designation of responsible operator
- Hauled-in waste restriction

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

The EPA Waiver is not in effect.

**PA0266663**, Sewage, NAICS Code 72-721, **Gettysburg Battlefield Resort**, 1960 Emmitsburg Road, Gettysburg, PA 17325. Facility Name: Gettysburg Battlefield Resort. This proposed facility is located in Cumberland Township, **Adams County**.

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

The receiving stream(s), Unnamed Tributary to Plum Run, is located in State Water Plan watershed 13-D 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 0.03 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX Daily Max	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Daily Min 6.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.03	XXX	0.1
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
Fecal Coliform (No./100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Total Nitrogen	XXX	XXX	XXX	5.0	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	6.5	XXX	13
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4
Total Phosphorus	XXX	XXX	XXX	0.5	XXX	1

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

<i>Parameter</i>	<i>Mass Units (lbs)</i>		<i>Effluent Limitations</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly Average</i>	<i>Concentrations (mg/L) Maximum</i>	<i>Instant. Maximum</i>
Ammonia—N	Report	Report	Report	XXX	XXX
Kjeldahl—N	Report	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	Report	XXX	XXX
Total Phosphorus	Report	Report	Report	XXX	XXX
Net Total N	Report	0.0*	XXX	XXX	XXX
Net Total P	Report	0.0	XXX	XXX	XXX

\* 1,875 lbs. of TN/year is approved as Offset to apply towards TN compliance

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

- Chesapeake Bay nutrients requirements
- Solids management for non-lagoon system

- Chlorine minimization
- Notification of designation of responsible operator
- Hauled-in waste restriction
- Obtain WQM permit for new facility
- Dry stream conditions

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.

**PA0266612**, Sewage, SIC Code 8811, **Myers William J**, PO Box 40, Shermans Dale, PA 17090. Facility Name: Myers William J Res. This proposed facility is located in Carroll Township, **Perry 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 Sherman Creek, is located in State Water Plan watershed 7-A and is classified for aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

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

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.

**PA0080322**, Industrial, SIC Code 4953, **Greater Lebanon Refuse Authority**, 1610 Russell Road, Lebanon, PA 17046-1425. Facility Name: Greater Lebanon Refuse Landfill. This existing facility is located in North Lebanon Township, **Lebanon County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.144 MGD.—Limits.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Dissolved Oxygen	XXX	XXX	5.0	XXX	Max	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD <sub>5</sub> )	Report	Report	XXX	20.0	40.0	50
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	6.0	12.0	15
May 1 - Oct 31	Report	Report	XXX	2.0	4.0	5
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	2.0	4.0	5
Aluminum, Total	Report	Report	XXX	0.6	1.2	1.5
Iron, Total	Report	Report	XXX	1.87	3.74	4.67
Manganese, Total	Report	Report	XXX	1.2	2.4	3



The proposed effluent limits for Stormwater Outfalls 002, 003 and 004 are based on a design flow of 0 MGD.—Limits.

Parameters	Mass Units (lbs/day)		Minimum	Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly		Daily Maximum	Maximum	
pH (S.U.)	XXX	XXX	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Iron, Total	XXX	XXX	XXX	Report	XXX	XXX

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

- To implement Best Management Practices and requirements applicable to stormwater outfalls
- Management of Landfill Leachate discharge

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.

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

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

**WQM Permit No. 3917403**, Sewage, **Lehigh County Authority**, 1053 Spruce Road, Allentown, PA 18106-0348.

This proposed facility is located in North Whitehall Township, **Lehigh County**.

Description of Proposed Action/Activity:

Total Replacement of an existing wastewater treatment facility which is currently permitted by NPDES Permit PA0036081. There is no proposed increase in hydraulic or organic capacity associated with this project.

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

**WQM Permit No. 6717409**, Sewerage, **York City Sewer Authority**, 345 East Market Street, York, PA 17401. This proposed facility is located in York City, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the replacement of the Manchester Township Interceptor.

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

**WQM Permit No. 0217403**, Sewage, **Allegheny County Park Department**, 542 Forbes Avenue, Suite 107, Pittsburgh, PA 15219-2919.

This proposed facility is located in West Deer Township, **Allegheny County**.

Description of Proposed Action/Activity: construction and operation of a NEWT sewage treatment plant.

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

**WQM Permit No. 2517416**, Sewage, **Allen Hawthorne**, 1711 Kuntz Road, Erie, PA 16509.

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

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

**WQM Permit No. 2717402**, Sewage, **Dale Hall**, 1242 Nebraska Road, Tionesta, PA 16353.

This proposed facility is located in Green Township, **Forest County**.

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

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAD230015	SEPTA 1234 Market Street Philadelphia, PA 19102	Delaware	Middletown Township Chester Heights Borough	Chester Creek TSF-MF Rocky Run HQ-CWF-MF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD150048	Media Mennonite Church 866 Fifth Street P.O. Box 70 Oxford, PA 19363	Chester	East Nottingham Township	Little Elk Creek HQ-TSF-MF
PAD090015	Thomas H. Crews 242 South Sugan Road Hope, PA 18938	Bucks	New Hope Borough	Unnamed Tributary/ Aquetong Creek HQ-CWF-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>
PAD390054	Jaindl Land Company 3150 Coffeetown Rd. Orefield, PA 18069	Lehigh	Upper Macungie Township & Lower Macungie Township	Schaefer Run (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>
PAD480045	David Farkas Strealing Crossings, LLC 50 E. Mt. Pleasant Ave. Livingston, NJ 07039	Northampton	Lower Nazareth Township	Monocacy Creek (HQ-CWF, MF)

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

*Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD180014	Whitetail Estates II 110 Fishing Creek Road Mill Hall, PA 17751	Clinton	Lamar Twp	Chub Run (HQ-CWF)

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

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAD020009	Fox Chapel Area School District 611 Field Club Road Pittsburgh, PA 15238	Allegheny County	O'Hara Township	UNT to Allegheny River (WWF)
PAD630023	McMurray Cooling and Heating 33 South Central Avenue Canonsburg, PA 15317	Washington County	North Strabane Township	Little Chartiers Creek (HQ-WWF)

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

PAG-12      CAFOs

### **MS4 Notices of Intent Received.**

*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>Municipality/County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG133642	Dixon University Center 2986 N 2nd Street Harrisburg, PA 17110-1201	Harrisburg City Dauphin County	Y	N

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Municipality, County</i>	<i>Waiver Application Submitted (Y/N)</i>	<i>Pollutant Reduction Plan Submitted (Y/N)</i>
PAG136121	Neville Township Allegheny County 5050 Grand Avenue Pittsburgh, PA 15225-1326	Neville Township Allegheny County	N	N

**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.**

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

**Application No. 4017510**, Public Water Supply.

Applicant	<b>Nature's Way Springs, LP</b> 164 Commerce Road Pittston, PA 18640-9552
Municipality	Foster Township
County	<b>Luzerne</b>
Responsible Official	Sandy Insalaco, CEO Nature's Way Springs, LP
Type of Facility	Public Water Supply

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Consulting Engineer	Thomas G. Pullar, P.E. EarthRes Group, Inc. 6912 Old Easton Road P.O. Box 468 Pipersville, PA 18947
Application Received Date	November 28, 2017
Description of Action	This application requests issuance of a permit for a previously permitted bulk water hauling system, with a maximum withdrawal rate of 70 gpm from its source, Borehole No. 1.

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

**Permit No. 1117515**, Public Water Supply.

Applicant	<b>Greater Johnstown Water Authority</b> 640 Franklin Street Johnstown, PA 15901
[Township or Borough]	Stonycreek and East Taylor Townships
Responsible Official	Michael Kerr, Manager Greater Johnstown Water Authority 640 Franklin Street Johnstown, PA 15901
Type of Facility	Water system
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Application Received Date	December 11, 2017
Description of Action	Discontinuation of the fluoride addition at both water treatment plants.

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

**Permit No. 1017508**, Public Water Supply.

Applicant	<b>PA DCNR</b>
Township or Borough	Muddycreek Township
County	<b>Butler</b>
Responsible Official	John Hallas
Type of Facility	WTP

Consulting Engineer Shawn Beeler, P.E.  
PA DCNR  
PO Box 8451  
Harrisburg, PA 17105

Application Received Date December 13, 2017

Description of Action Replace waterline across Lake Arthur, replace raw and finished water pumps, and new tank mixer.

**MINOR AMENDMENT**

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

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

**Application No. 0217551MA, Minor Amendment.**

Applicant **Pittsburgh Water & Sewer Authority**  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

[Township or Borough] City of Pittsburgh

Responsible Official Robert Weimar, Interim Executive Director  
Pittsburgh Water & Sewer Authority  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

Type of Facility Water system

Consulting Engineer Arcadis  
6041 Wallace Road Extension # 300  
Wexford, PA 15090

Application Received Date November 30, 2017

Description of Action Lanpher Reservoir improvement project—West Cell.

**Application No. 0217552MA, Minor Amendment.**

Applicant **Pittsburgh Water & Sewer Authority**  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

[Township or Borough] City of Pittsburgh

Responsible Official Robert Weimar, Interim Executive Director  
Pittsburgh Water & Sewer Authority  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

Type of Facility Water system

Consulting Engineer Arcadis  
6041 Wallace Road Extension # 300  
Wexford, PA 15090

Application Received Date November 30, 2017

Description of Action Lanpher Reservoir improvement project—East Cell.

**Application No. 0217554MA, Minor Amendment.**

Applicant **Pennsylvania American Water Company**  
800 West Hersheypark Drive  
Hershey, PA 17033

[Township or Borough] Union Township

Responsible Official David Kaufman, Vice President-Engineering  
Pennsylvania American Water Company  
800 West Hersheypark Drive  
Hershey, PA 17033

Type of Facility Water system

Consulting Engineer Pennsylvania American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055

Application Received Date December 4, 2017

Description of Action Painting and rehabilitation of the Aldrich Purification Unit # 1.

**Permit No. 3017525MA, Minor Amendment. Public Water Supply.**

Applicant **Southwestern Pennsylvania Water Authority**  
PO Box 187  
1442 Jefferson Road  
Jefferson, PA 15344

[Borough or Township] Wayne Township

Responsible Official Timothy Faddis, Manager  
Southwestern Pennsylvania Water Authority  
PO Box 187  
1442 Jefferson Road  
Jefferson, PA 15344

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.  
Suite 200  
267 Blue Run Road  
Cheswick, PA 15024

Description of Action Installation of approximately 5,000 feet of waterline along Jay Phillips Hill Road.

**Permit No. 3214501GWR-A1, Minor Amendment. Public Water Supply.**

Applicant **Green Township Municipal Authority**  
PO Box 129  
Commodore, PA 15729

[Borough or Township] Green Township

Responsible Official Charles Ishman, Water Plant Operator  
Green Township Municipal Authority  
PO Box 129  
Commodore, PA 15729

Type of Facility Water system

Consulting Engineer	GForce Engineering Services, LLC 1630 Philadelphia Street Unit 40 Indiana, PA 15701
Description of Action	Amendment to the 4-log demonstration permit at the Commodore water system.
<b>Permit No. 3216504GWR-A1, Minor Amendment.</b>	
Public Water Supply.	
Applicant	<b>Green Township Municipal Authority</b> PO Box 129 Commodore, PA 15729
[Borough or Township]	Green Township
Responsible Official	Charles Ishman, Water Plant Operator Green Township Municipal Authority PO Box 129 Commodore, PA 15729
Type of Facility	Water system
Consulting Engineer	GForce Engineering Services, LLC 1630 Philadelphia Street Unit 40 Indiana, PA 15701
Description of Action	Amendment to the 4-log demonstration permit at the Barr Slope water system.

#### WATER ALLOCATIONS

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#### Applications received under the act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth.

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*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**WA 06-127B, Water Allocations. Reading Area Water Authority (PWS ID No. 3060059), Berks County.** Reading Area Water Authority has requested the right to withdraw allocation of 35,000,000 gallons per day (gpd) from Lake Ontelaunee and Maiden Creek combined, with no more than 20,000,000 gpd to be withdrawn from Maiden Creek. Applicant Address: William Murray, Interim Executive Director, Reading Area Water Authority, 1801 Kutztown Road, Reading, PA 19604. Consulting Engineer: Christina Crawford MBA, P.E., Spotts, Stevens & McCoy, Inc., 1047 North Park Road, PO Box 6307, Reading, PA 19610-0307. Application Received: 5/16/2017.

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

**WA26-1009, Water Allocations. Dunkard Valley Joint Water Authority, PO Box 193, Greensboro, PA 15338, Fayette County.** The applicant is requesting the right to purchase 100,000 gallons of water per day, average annual, from the East Dunkard Water Authority.

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

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

**09-0048E: H&K Materials/Chalfont Batch Asphalt Plant** (300 Skunk Hollow Road, Chalfont, PA 19474) a plan approval for the modification of an existing VOC emission restriction of the Batch Asphalt Plant located in Hilltown Township, **Bucks County**. The increase in the VOC emission restriction from 0.022 lb/ton to 0.029 lb/ton (4.34 tons/year to 5.73 tons/year) is resulting from a performance test conducted in June 2017 to re-establish the limit in the facility's State Only Operating Permit, 09-00048. This plan approval does not authorize any physical changes to the Batch Asphalt Plant nor does it alter any previously approved emission restrictions on other pollutants. This plan approval does not re-establish Best Available Technology of the source. The plan approval includes monitoring, record keeping, and reporting requirements designed to address all applicable air quality regulations.

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

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

**06-03089C: H & K Group, Inc.** (1 Quarry Road, Douglassville, PA 19518) for the construction of a diabase stone crushing plant to replace the current stone crushing plant at the Douglassville Quarry located in Douglass Township, **Berks County**. Wet suppression will control the PM emissions. The expected facility potential emissions as a result of the changes proposed are: 40.2 tpy PM and 14.1 tpy PM<sub>10</sub>. The facility is a State Only facility. DEP's review of the information submitted by the applicant indicates that the air contamination sources as constructed or modified will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12, and 40 CFR Part 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants. Based on these findings, the Department proposes to issue a plan approval for the proposed construction. If, after the project has been implemented, the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specification of the application for plan approval, the requirements established in the plan approval will be incorporated into an Operating Permit pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

## OPERATING PERMITS

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

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

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

**62-00032: Ellwood National Forge—ENF** (1 Front Street, Irvine, PA 16329-1801). The Department intends to issue a renewal of the Title V permit to operate an iron and steel forging products manufacturing in Brokenstraw Township, **Warren County**. The permit is comprised of sources from Ellwood National Steel (ENS), ENF, and Ellwood National Crankshaft (ENC). The combined facility manufactures iron and steel forging products. The facility's major emission sources include natural gas boilers, natural gas space heaters, Vacuum Oxygen Decarburization (VOD), a 45-ton Electric Arc Furnace (EAF), ENS annealing furnaces, ENF heat treat furnaces, ENC heat treat furnaces, crankshaft file and grind process, vacuum degasser, teeming, scrap handling, slag handling, vehicle travel, crankshaft degreasing, ladle furnace, Safety-Kleen degreaser units, pipe mold cleaning machine, and nitride furnaces.

The potential emissions of the pollutants from the facility are, NO<sub>x</sub>: 98.3 TPY (tons per year), CO: 511.45 TPY, SO<sub>x</sub>: 43.39, VOC: 33.80 TPY, PM<sub>10</sub>: 14.38 and NH<sub>3</sub>: 10 TPY. The facility is major for CO emissions. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is also subject to the Compliance Assurance Monitoring Rule (CAM) found in 40 CFR Part 64. Appropriate permit conditions to address the applicable CAM requirements have been included in the permit. The facility is subject to 40 CFR 60 Subpart Dc Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60 Subpart AAa for the EAF, and 40 CFR 63 Subpart YYYYY National Emissions Standards for Hazardous Air Pollutants for Area Sources for the EAF. The Permit contains the applicable requirements from previous plan approvals.

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

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

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

**15-00053: Chester County Hospital** (701 E Marshal St, West Chester, PA 19380), for the renewal of a State-Only Operating Permit in West Chester Borough, **Chester County**. This issuance also includes an administrative amendment to add a previously issued general plan approval (GP1-15-0105) for a boiler. The facility is a hospital operated by Penn Medicine. The facility is a Synthetic minor for NO<sub>x</sub> emissions and natural minor for all other pollutants. The sources of emissions at the facility include: three dual-fired boilers, four diesel-fired emergency generators, and a diesel-fired emergency fire pump. One of the boilers is subject to 40 CFR Part 60 Subpart Dc. One of the emergency generators is subject to 40 CFR Part 60 Subpart IIII. The permit contains monitoring, recordkeeping, reporting, and work practice

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

**09-00059: Saint Mary Medical Center**, (1201 Langhorne Newtown Rd., Langhorne, PA 19047-1295) located in Middletown Township, **Bucks County** for the issuance of a renewed State Only (Synthetic Minor) Operating Permit No. 09-00059 for their general medical and surgical hospital. The hospital's air emission sources consist of two boilers and four emergency generators. The air emission sources have fuel restriction for the facility to remain a synthetic minor facility for Nitrogen Oxide (NO<sub>x</sub>). The NO<sub>x</sub> emissions from these sources will not exceed 20.60 tons per year. The operating permit also contains work practice standards, monitoring and recordkeeping requirements, and operating restrictions designed to keep the sources and facility operating within all applicable air quality requirements.

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

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

**40-00049: Pennsy Supply, Inc., Dorrance Quarry** (P.O. Box 3331, Harrisburg, PA 17105). The Department intends to issue a renewal State-Only Natural Minor Permit for the Sandstone, Crushed and Broken Stone Mining, and Asphalt facility located in Dorrance Township, **Luzerne County**. The main sources at this facility consist of crushers, screens, conveyors, and feeders and asphalt production. The control devices consist of a water suppression system and water trucks. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

**40-00122: Leggett & Platt, Inc., LPCC Berwick** (515 Salem Blvd., Berwick, PA 18603-6459). The Department intends to issue a renewal State-Only Synthetic Minor Permit for the cushions, carpet and rug, urethane, and other foam plastics (except polystyrene) manufacturing facility located in Salem Township, **Luzerne County**. The main source at this facility consist of foam processing & handling operation. The control devices consist of a baghouse. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. The proposed permit contains applicable requirements for emission limitations, work practice standards, testing, monitoring, recordkeeping, and reporting standards used to verify facility compliance with Federal and State air pollution regulations.

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

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

**31-03003: New Enterprise Stone & Lime** (PO Box 77, New Enterprise, PA 16664) to issue a State Only Operating Permit for a rock crusher operation in Orbisonia Quarry located in Cromwell Township, **Huntingdon County**. The primary emissions from the facility are particulate matter. The actual 2016 emissions from the facility are 0.57 ton of PM and 0.22 ton of PM<sub>10</sub>.

The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions for Federal 40 CFR 60 Subpart OOO—Standard of Performance for Nonmetallic Mineral Processing Plants.

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

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

**17-00053: Nydree Flooring LLC**. (4608 Quehanna Highway, Karthaus, PA 16845) to issue a renewal State Only Operating Permit for their hardwood floor manufacturing facility located in Karthaus Township, **Clearfield County**. The facility's main sources include a 5.17 MMBtu per hour # 2 fuel oil fired boiler, a 2.49 MMBtu per hour woodwaste fired boiler, a UV finish line, a hot glue operation, veneer impregnation operation, and several woodworking equipment.

The facility has potential to emit under 4.84 tons per year (tpy) of particulate matter/particulate matter with an effective aerodynamic diameter of less than or equal to 10 micrometer, 5.64 tpy of nitrogen oxides, 7.35 tpy of carbon monoxide, 3.03 tpy of volatile organic compounds, 0.05 tpy of hazardous air pollutants and 11.92 tpy of sulfur oxides. The potential volatile organic compounds emissions at the facility reduced slightly due to removal of air emissions sources—Timeless 3 line, Genuwood line and a surface coating operation since last issuance of the permit.

The # 2 fuel oil fired boiler and the woodwaste fired boiler are subject to 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

The emission limits and work practice standards along with testing, 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 Title 25 Pa. Code Chapters 121—145, as well as 40 CFR Parts 60, 63 and 98.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570- 327-0550.

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

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

**OP17-000049: Philadelphia Zoo** (3400 West Girard, Philadelphia, PA 19104) for the operation of a zoological garden and exhibit in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) boilers firing natural gas and No. 2 Fuel Oil each rated 1.375 MMBtu/hr, thirty-two (32) boilers or hot water heaters firing natural gas each rated 2.049 MMBtu/hr or less, and ten (10) emergency generators firing diesel fuel each rated 670 hp or less.

The operating permit will be issued under 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regula-

tion XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

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

When an NPDES number is listed, the mining activity permit application was accompanied by an application for

an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

### *Coal Applications Received*

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

**30841316 and NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC**, (1000 Consol Energy Drive, Canonsburg, PA 15317). To revise the permit for the Bailey Mine & Prep Plant in Richhill Township, **Greene County** and related NPDES Permit for installation of the 7L Powerline and Waterline. Surface Acres Proposed 17.5. No additional discharges. The application was considered administratively complete on December 11, 2017. Application received June 29, 2017.

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

**Permit No. 11970106 and NPDES No. PA0234591. Laurel Sand & Stone, Inc.**, 210 East Main Street, P.O. Box 556, Ligonier, PA 15658, permit renewal for the continued operation and restoration of a bituminous surface mine in Jackson Township, **Cambria County**, affecting 85.2 acres. Receiving stream: unnamed tributary to south Branch of Blacklick Creek, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 6, 2017.

**Permit No. 32120102. Amerikohl Mining, Inc.**, 202 Sunset Drive, Butler, PA 16001-1334, permit renewal for reclamation only of a bituminous surface mine Brush Valley & Center Townships, **Indiana County**, affecting 80.0 acres. Receiving stream: unnamed tributaries to Laurel Run, classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: December 4, 2017.

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

**17980104 and NPDES PA0237922. Swisher Contracting, Inc.** (P.O. Box 1223, Clearfield, PA 16830). Permit renewal for reclamation only with NPDES renewal of a bituminous surface coal and auger mine located in Lawrence Township, **Clearfield County** affecting 84.0 acres. Receiving stream(s): Moose Creek classified for the following use(s): CWF, MF. There are no potable water supply intakes within 10 miles downstream. Application received: December 4, 2017.

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

**63110101 and NPDES Permit No. PA0252069. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258). Renewal application for reclamation only to an existing bituminous surface mine, located in Deemston Borough, **Washington County**, affecting 24.4 acres. Receiving streams: unnamed tributaries to Ten Mile Creek and Ten Mile Creek, classified for the following use: TSF. Tri-County Joint Municipal Authority is the water supply intake within 10 miles downstream from the point of discharge. Renewal application received: December 4, 2017.

### *Noncoal Applications Received*

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



Parameter	Table 2		
	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

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

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

**Permit No. 7775SM6C12 and NPDES No. PA0225690. Glen-Gery Corporation**, (1166 Spring Street, Wyomissing, PA 19610), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Perry Township, **Berks County** affecting 114.7 acres, receiving stream: unnamed tributary to Schuylkill River, classified for the following use: warm water fishes. Application received: December 4, 2017.

**Permit No. 7775SM9A2C11 and NPDES No. PA0595659. Glen-Gery Corporation**, (1166 Spring Street, Wyomissing, PA 19610), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Perry Township, **Berks County** affecting 225 acres, receiving stream: unnamed tributary to Schuylkill River, classified for the following use: warm water fishes. Application received: December 1, 2017.

#### 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.

*Noncoal NPDES Draft Permits*

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

**NPDES No. PA0249319 (Mining permit no. 31020302), Glenn O. Hawbaker, Inc.**, 711 East College Avenue, Pleasant Gap, PA 16823, renewal of an NPDES permit for a limestone quarry in Morris Township, **Huntingdon County**, affecting 182.1 acres. Receiving stream(s): Unnamed tributary to Shaffers Run, classified for the following use(s): Warm Water Fishes. Application received: November 21, 2017.

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

The following outfall(s) discharge to: Unnamed Tributary to Shaffers Run

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Flow (mgd)	1.44		
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times.			

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

**NPDES No. PA0258423 (Permit No. 37070302), Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Renewal of an existing NPDES permit for a large industrial minerals surface mine in Slippery Rock Township, **Lawrence County**, affecting 101.0 acres. Receiving streams: Unnamed tributary to Slippery Rock Creek, classified for the following uses: CWF. TMDL: None. Application received: November 21, 2017.

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

The following outfall(s) discharge to unnamed tributary to Slippery Rock Creek:

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

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

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Alkalinity greater than acidity <sup>1</sup>				
Total Settleable Solids (ml/l)				90

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

**NPDES No. PA0250937 (Mining permit no. 26060605), John Joseph**, 470 Vanderbilt Road, Connellsville, PA 15425, renewed NPDES permit for a noncoal surface mine in Jefferson Township, **Fayette County**, affecting 16.6 acres. Receiving stream(s): unnamed tributaries to Little Redstone Creek, classified for the following use(s): WWF. Application received: June 29, 2015.

The following treated wastewater outfall(s) listed discharge to unnamed tributaries to Little Redstone Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
002 (TF A)	N	MDT

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	2.0	4.0	5.0
Total Copper (mg/l)	0.009	0.018	0.0225
Total Silver (mg/l)	0.0032	0.0064	0.008
Total Suspended Solids (mg/l)	35	70	90
Total Cadmuim (mg/l)		Monitor and Report	
Sulfates		Monitor and Report	

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

Alkalinity must exceed acidity at all times.

The following stormwater outfall(s) discharge to unnamed tributaries to Little Redstone Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>Type</i>
001 (SB 1)	N	SW

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Iron (mg/l)	3.0	6.0	7.0
Total Manganese (mg/l)	2.0	4.0	5.0
Total Aluminum (mg/l)	2.0	4.0	5.0
Total Copper (mg/l)	0.009	0.018	0.0225
Total Silver (mg/l)	0.0032	0.0064	0.008
Total Suspended Solids (mg/l)	35	70	90
Total Cadmuim (mg/l)		Monitor and Report	
Sulfates		Monitor and Report	

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

Alkalinity must exceed acidity at all times.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. 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

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**F40-038. Plymouth Township**, 925 West Main Street, Plymouth, PA 18651, in Plymouth Township, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To demolish and remove structures located on the following sites in the floodplain of the Susquehanna River. Sites will be restored to open space. Sites are located in Plymouth Township, Luzerne County:

1. 6 East Poplar Street (Nanticoke, PA Quadrangle Latitude: 41.222642°; Longitude: -76.014041°)

2. 21 East Poplar Street (Nanticoke, PA Quadrangle Latitude: 41.222061°; Longitude: -76.013148°)

3. 33 East Poplar Street (Nanticoke, PA Quadrangle Latitude: 41.221783°; Longitude: -76.012570°)

4. 46 East Poplar Street (Nanticoke, PA Quadrangle Latitude: 41.220954°; Longitude: -76.013086°)

5. 51 East Poplar Street (Nanticoke, PA Quadrangle Latitude: 41.220865°; Longitude: -76.012527°)

6. 61 East Poplar Street (Nanticoke, PA Quadrangle Latitude: 41.220397°; Longitude: -76.012347°)

7. 68 East Poplar Street (Nanticoke, PA Quadrangle Latitude: 41.220252°; Longitude: -76.012829°)

8. 101 East Poplar Street (Nanticoke, PA Quadrangle Latitude: 41.219474°; Longitude: -76.011951°)

9. 24 West Poplar Street (Nanticoke, PA Quadrangle Latitude: 41.222762°; Longitude: -76.015456°)

10. 26 West Poplar Street (Nanticoke, PA Quadrangle Latitude: 41.222716°; Longitude: -76.015695°)

11. 79 West Poplar Street (Nanticoke, PA Quadrangle Latitude: 41.223013°; Longitude: -76.018527°)

12. 200-202 East Canal Street (Nanticoke, PA Quadrangle Latitude: 41.222178°; Longitude: -76.020573°)

13. 328 East Canal Street (Nanticoke, PA Quadrangle Latitude: 41.216412°; Longitude: -76.008182°)

14. 342 East Canal Street (Nanticoke, PA Quadrangle Latitude: 41.216246°; Longitude: -76.007562°)

15. 350 East Canal Street (Nanticoke, PA Quadrangle Latitude: 41.216148°; Longitude: -76.007200°)

16. 360 East Canal Street (Nanticoke, PA Quadrangle Latitude: 41.216112°; Longitude: -76.006925°)

17. 1098 West Main Street (Wilkes-Barre West, PA Quadrangle Latitude: 41.228144°; Longitude: -75.972545°)

18. 1099 West Main Street (Wilkes-Barre West, PA Quadrangle Latitude: 41.228473°; Longitude: -75.972777°)

19. 1126 West Main Street (Wilkes-Barre West, PA Quadrangle Latitude: 41.227462°; Longitude: -75.973430°)

20. 1130 West Main Street (Wilkes-Barre West, PA Quadrangle Latitude: 41.227603°; Longitude: -75.972954°)

21. 4 Bridge Street (Nanticoke, PA Quadrangle Latitude: 41.216248°; Longitude: -76.006039°)

22. 56 Allen Street (Nanticoke, PA Quadrangle Latitude: 41.220658°; Longitude: -76.014452°).

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

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

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

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

**E63-661-A1, Peters Township Sanitary Authority**, 111 Bell Drive, McMurray, PA 15317-3415, Peters Township, **Washington County**, ACOE Pittsburgh District.

The applicant proposes to:

To remove select facilities at the existing Donaldson's Crossroads Water Pollution Control Plant (WPCP), and to construct, operate and maintain:

1. A new WPCP facilities within the floodplain of Little Chartiers Creek (WWF), consisting of a new headworks building, garage, sludge loading pad, steel canopy, filtrate pump station, two aeration tanks, two digesters, three clarifiers, two chlorine contact tanks, an effluent pumping station, control and process buildings, biofilter, utility lines, and other support structures and appurtenances.

2. Perform site grading, including the placement and maintenance of fill within the floodplain;

3. A 42" PE pipe, effluent utility line crossing of an unnamed tributary (UNT) to Little Chartiers Creek (WWF);

4. A 4" HDPE and DIP pipe, digested sludge utility line crossing of an unnamed tributary (UNT) to Little Chartiers Creek (WWF);

5. A 4" HDPE and DIP pipe, filtrate utility line crossing of the aforementioned tributary.

6. Three (3) 2" conduit communication utility line crossings of the aforementioned tributary.

7. A 24" DIP, raw water utility line crossing (replacement of existing 12" line) of the same UNT;

8. A new outfall structure (to replace an existing structure) within Little Chartiers Creek;

9. Stormwater management facilities, including outfall structures, along the UNT and/or within the floodplain of the UNT and Little Chartiers Creek;

For the purpose of improving sewage treatment within the Donaldson's Crossroads service area, and to potentially accommodate the Lehner Lakes service area. The project will affect approximately 60 lf of watercourse. The project is located near the intersection of Oakwood Road and West McMurray Road (SR 1002), in Peters Township, Washington County (Canonsburg, PA USGS topographic quadrangle; Lat: 40° 16' 37.08"; Long: -80° 8' 15.62"; Sub-basin: 20F; USACE Pittsburgh District).

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

**E42-378, National Fuel Gas Distribution Corporation**, 1100 State Street, Erie, PA 16501. International Wax Distribution Lateral, in Norwich and Keating Townships, **McKean County**, ACOE Pittsburgh District (Smethport, PA Quadrangle; from N: 41.754445°; W: 78.391567°; to N: 41.8609°; W: 78.442156°).

National Fuel Gas Distribution Corporation proposes to construct a nine mile, 6-inch diameter, steel, natural gas distribution lateral from an existing Tennessee Gas Pipeline transmission pipeline located in Norwich Twp, McKean County to the International Wax Farmer's Valley Facility in Keating Township, McKean County. The pipeline will largely follow SR 46 and East Valley Road and will cross 32 wetlands and 43 streams (36 are less than 100 acres drainage) resulting in the following impacts:

- a) 0.01 acre of permanent wetland fill;  
 b) 0.41 acre of permanent wetland conversion for maintained ROW (0.04 ac PFO—PEM; 0.37 ac PSS—PEM)  
 c) 1.77 acre of temporary wetland impact during construction;

- d) 1,646 LF temporary stream impact.

All crossings are proposed to be installed by open cut, with the exception of Potato Creek and associated wetlands, which are proposed to be crossed by Horizontal Directional Drill.

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## ACTIONS

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

## FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

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

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

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

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

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

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

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### I. NPDES Renewal Permit Actions

*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>
PA0037737 SEW	Elizabethville Borough Area Authority 4154 N Route 225 Elizabethville, PA 17023-9704	Elizabethville Borough, Dauphin County	Watershed 6-C	N
PA0247227 SEW	Jeffrey Croft Dublin Township P.O. Box 719 McConnellsburg, PA 17233	Dublin Township, Fulton County	South Branch Little Aughwick Creek Watershed 12-C	Y

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0024074 SEW	Shoemakersville Municipal Authority 115 E 9th Street Shoemakersville, PA 19555-1608	Shoemakersville Borough, Berks County	Schuylkill River in Watershed(s) 3-B	N

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0042749 (Sewage)	Jenner Area Joint Sewer Authority WWTP PO Box 202 Jennerstown, PA 15547-0202	Somerset County Boswell Borough	Quemahoning Creek (18-E)	Yes
PA0219169 (Sewage)	New Centerville Borough STP PO Box 93 Rockwood, PA 15557-0093	Somerset County New Centerville Borough	Middle Creek (19-F)	Yes

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0047201 (Sewage)	Tionesta Borough WWTP PO Box 408 Tionesta, PA 16353-0408	Forest County Tionesta Borough	Allegheny River (16-F)	Yes
PA0100048 (Sewage)	Api Tech Erie Division 8061 Avonia Road Fairview, PA 16415-2829	Erie County Fairview Township	Unnamed Tributary to Brandy Run (15-A)	Yes
PA0034568 (Sewage)	Harbor Terrace MHP 203 Independence Lane New Castle, PA 16101-2883	Lawrence County Union Township	Unnamed Tributary to Shenango River (20-A)	Yes
PA0044041 (Industrial)	Corry Fish Culture Station 1735 Shiloh Road State College, PA 16801-8400	Erie County Wayne Township	Unnamed Tributary of South Branch French Creek and Unnamed Stream (16-A)	Yes

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

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

**NPDES Permit No. PA0029114**, Sewage, SIC Code 4952, **Clintonville Borough Sewer & Water Authority Venango County**, PO Box 292, Clintonville, PA 16372-0292.

This existing facility is located in Clintonville Borough, **Venango County**.

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

**NPDES Permit No. PA0023931**, Sewage, SIC Code 4952, **Cambridge Area Joint Authority**, 161 Carringer Street, Cambridge Springs, PA 16403-1005.

This existing facility is located in Cambridge Springs Borough, **Crawford County**.

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

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

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

**WQM Permit No. WQG02401701**, Sewage, SIC Code 4952, **West Pittston Borough**, 555 Exeter Avenue, West Pittston, PA 18643.

This proposed facility is located in West Pittston Borough, **Luzerne County**.

Description of Proposed Action/Activity: The project is for the separation of existing combined sewers along Erie Street and 4th Street. A new force main will be constructed using approximately 616 feet of 2-inch diameter high density polyethylene pipe and will convey pumped sewage from a low point in the existing gravity sewer system (intersection of South Street and 4th Street) along 4th street to Pacific Avenue. From there, the force main runs to the northwest on Pacific Avenue to an existing gravity sanitary sewer manhole on Pacific Avenue. Two identical submersible grinder pumps (one in service and one on standby) rated at 60 gallons per minute at 59.06 feet of total dynamic head will pump sewage through the force main.

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

**WQM Permit No. 0688201 A-3**, Industrial Waste, **Giorgio Foods Inc**, PO Box 96, 1161 Park Road, Temple, PA 19560-0096.

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

Description of Proposed Action/Activity:

This amendment approves the construction of industrial wastewater facilities consisting of the:

- Addition of a filter feed pump station with 2 suction lift pumps rated for 833 gpm at 28 ft. TDH (each) and VFD control.
- Installation of two AquaDisk cloth media filters with integrated backwash suction lift pumps rated for 130 gpm at 30 ft. TDH (each).
- Installation of two Trojan UV disinfection units rated for 1.2 mgd of flow and equipped with 24 low pressure mercury lamps (each) designed to meet permit limits at 65% UV transmittance.
- Upgrade to the existing plant drain pump station with two new suction lift pumps rated for 450 gpm at 27 ft. TDH (each).
- Conversion of the existing chlorine contact tank into a post-aeration tank.
- Addition of two additional diffuser tubes into the existing lagoon and the installation of a fourth blower to provide necessary airflow to the new diffuser arrays.

**WQM Permit No. 6792402 A-3**, Sewerage, **PA American Water Fairview Township-South STP**, 852 Wesley Drive, Mechanicsburg, PA 17055.

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

Description of Proposed Action/Activity:

This amendment approves the modification of sewage facilities consisting of:

- Replacement of the existing blowers with three positive displacement Aerzen Blowers (Model 35S).
- Addition of an additional diffuser rack to each SBR Basin.
- Process control upgrades.

#### **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>
PAD510018	Delaware Valley Recycling, Inc. 2052 Lucon Road P.O. Box 323 Skippack, PA 19474	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF

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

*Warren County Conservation District, 4000 Conewango Avenue, Warren, PA 16365 814-726-1441.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAD620001	Fox & Sons Excavating LLC P.O. Box 405 Clarendon, PA 16313	Warren	Pleasant Township	West Branch Tionesta Creek HQ-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>
Tinicum Township Delaware County	PAC230047	Tinicum Township 629 North Governor Printz Boulevard Essington, PA 19029-1732	Delaware River Estuary—WWF-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.*

<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>
City of Allentown, Lehigh County	PAC390033	The Waterfront Development Co. LP 1665 Valley Center Parkway Ste. 110 Bethlehem, PA 18017	Lehigh River (TSF, MF)	Lehigh County Conservation District 610-391-9583

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, 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>
Muhlenberg Township Berks Issued	PAC060089	Metropolitan Edison Company 2800 Pottsville Pike Reading, PA 19605	Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
Wyomissing Borough Berks County Issued	PAC060071	Redevelopment Straw Party, LLC 301 Oxford Valley Road Suite 12203A Yardley, PA 19067	Wyomissing Creek (CWF, MF) Schuylkill River (WWF, MF)	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610.372.4657
North Lebanon Township Lebanon County Issued	PAC380040	Philip L. Domencic 105 East Evergreen Road Lebanon, PA 17042	UNT to Quarry to Tulpehocken Creek CWF	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275
North Cornwall Township Lebanon County Issued	PAC380044	Cliff Weaver 1737 West Main Street Ephrata, PA 17522	Snitz Creek to Quittapahilla Creek (TSF)	Lebanon County Conservation District 2120 Cornwall Road Lebanon, PA 17042 717.277.5275



*Facility Location:  
Municipality &  
County*

South Lebanon  
Township  
Lebanon County  
Issued

*Permit No.*  
PAC380043

*Applicant Name &  
Address*  
Clair Zimmerman  
85 Furnace Hills Road  
Denver, PA 17517

*Receiving  
Water / Use*  
UNT Quittapahilla  
Creek  
(TSF)

*Contact Office &  
Phone No.*  
Lebanon County  
Conservation District  
2120 Cornwall Road  
Lebanon, PA 17042  
717.277.5275

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

*Facility Location &  
Municipality*

Coal Twp,  
Northumberland  
Cnty

*Permit No.*  
PAC490020

*Applicant Name &  
Address*  
AOAA Trailhead  
Campground  
PO Box 279  
Shamokin, PA 17872

*Receiving  
Water / Use*  
Carbon Run  
(CWF, MF)

*Contact Office &  
Phone No.*  
Northumberland County  
Conservation District  
441 Plum Creek Rd  
Sunbury, PA 17801  
(570) 286-7114 ext. 4

Penn Twp,  
Snyder Cnty

*Permit No.*  
PAC55011 previously  
PAG02005503005R

*Applicant Name &  
Address*  
Eastern Communities LP  
7300 Derry Street  
Harrisburg, PA 17111

*Receiving  
Water / Use*  
UNT of Penns  
Creek—WWF/MF

*Contact Office &  
Phone No.*  
Snyder County  
Conservation District  
403 W Market St  
Middleburg, PA 17842  
(570) 837-3000 X110

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

*Facility Location  
and Municipality*

Burrell Township

*Permit No.*  
PAC320015

*Applicant Name and  
Address*  
Highridge Water  
Authority  
17 Maple Avenue  
Blairsville, PA 15717

*Receiving  
Water / Use*  
UNT to Blacklick  
Creek (CWF)

*Contact Office and  
Phone No.*  
Indiana County  
Conservation District  
625 Kolter Drive  
Suite 8  
Indiana, PA 15701  
(724) 471-4751

White Township

*Permit No.*  
PAC320016

*Applicant Name &  
Address*  
Indiana County  
Commissioners c/o  
Indiana County Office of  
Planning and  
Development  
801 Water Street  
Indiana, PA 15701

*Receiving  
Water / Use*  
McCarthy Run  
(CWF)

*Contact Office and  
Phone No.*  
Indiana County  
Conservation District  
625 Kolter Drive  
Suite 8  
Indiana, PA 15701  
(724) 471-4751

White Township

*Permit No.*  
PAC320017

*Applicant Name &  
Address*  
Pennsylvania American  
Water  
425 Waterworks Road  
Clarion, PA 16214

*Receiving  
Water / Use*  
UNT to Two Lick  
Creek (CWF);  
Marsh Run (CWF)

*Contact Office and  
Phone No.*  
Indiana County  
Conservation District  
625 Kolter Drive  
Suite 8  
Indiana, PA 15701  
(724) 471-4751

Chartiers Township

*Permit No.*  
PAC630042

*Applicant Name &  
Address*  
Washington County  
Fairgrounds  
2151 North Main Street  
Washington, PA 15301

*Receiving  
Water / Use*  
UNT to Chartiers  
Creek (WWF)

*Contact Office and  
Phone No.*  
Washington County  
Conservation District  
2800 North Main Street  
Suite 105  
Washington, PA 15301  
(724) 705-7098

*General Permit Type—PAG-03*

*Facility Location  
Municipality &  
County*

Derry Township  
Westmoreland  
County

*Permit No.*  
PAG036157

*Applicant Name &  
Address*  
Chestnut Ridge Foam,  
Inc.  
PO Box 781  
Latrobe, PA 15650-3573

*Receiving  
Water / Use*  
Unnamed  
Tributaries to  
Saxman Run—18-C

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

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Washington Township Northumberland County	PAG034845	Russell Osman 127 Osman Farm Lane Dornsife, PA 17823-7143	Unnamed Tributary to Mouse Creek—6-B	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

*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>
Quarryville Borough Authority Wastewater Treatment Plant 2350 Old Road New Providence, PA 17560 Providence Township Lancaster County	PAG083615	Quarryville Borough Authority 300 St. Catherine Street Quarryville, PA 17566	Same as Facility	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-12*

<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>
Rapho Township, Lancaster County	PAG123792	Arlin Benner Yippe Farm 880 Pinkerton Road Mount Joy, PA 17552-9241	Watershed 7-G	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Bethel Township, Berks County	PAG123624	Joann L Ebling & Earl G Ebling 761 Airport Road Bethel, PA 19507-9696	Watershed 7-D	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Delaware Township, Juniata County	PAG123860	Zugstead Farm Inc. 558 Freed Road Mifflintown, PA 17059-7772	Watershed 12-B	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

**PUBLIC WATER SUPPLY PERMITS**

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

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

available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

**SAFE DRINKING WATER****Actions taken under the Pennsylvania Safe Drinking Water Act.**

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

**Permit No. 3517506MA**, Public Water Supply.  
 Applicant **Aqua Pennsylvania, Inc.**  
 1 Aqua Way  
 White Have, PA 18661  
 [Borough or Township] Thornhurst Township  
 County **Lackawanna**  
 Type of Facility PWS  
 Consulting Engineer Daniel J. Hopkins, PE  
 Entech Engineering, Inc.  
 201 Penn St.  
 Reading, PA 19603  
 Permit to Construct 11/21/2017  
 Issued

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

**Permit No. 2917501**, Public Water Supply.  
 Applicant **McConnellsburg Borough Municipal Authority**  
 Municipality Todd Township  
 County **Fulton**  
 Responsible Official C Diane. Stenger, Secretary  
 PO Box 218  
 McConnellsburg, PA 17233  
 Type of Facility McConnellsburg Borough Municipal Authority has submitted a permit application for the installation of a new liquid sodium permanganate chemical feed system at Well No. 2 in order to oxidize iron and manganese present in the groundwater before reaching the water treatment plant.  
 Consulting Engineer Jamie R. Shambaugh, P.E.  
 Gannett Fleming, Inc.  
 PO Box 67100  
 Harrisburg, PA 17106-7100  
 Permit to Construct 12/14/2017  
 Issued

**Comprehensive Operation Permit No. 3060059** issued to: **Reading Area Water Authority (PWS ID No. 3060059)**, Ontelaunee Township, **Berks County** on 12/14/2017 for the operation of facilities approved under Construction Permit No. 0615506 MA.

**Operation Permit No. 2117508 MA** issued to: **Rodeway Inn/Jajul Corporaiton (Private) (PWS ID No. 7210890)**, Southampton Township, **Cumberland County** on 12/14/2017 for facilities approved under Construction Permit No. 2117508 MA.

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

**Permit No. 4917503—Operation—Public Water Supply.**  
 Applicant **Pennsylvania American Water**  
 Township/Borough Milton Borough  
 County **Northumberland County**

Responsible Official Mr. David R. Kaufmann  
 Vice President—Engineering  
 Pennsylvania American Water  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 Type of Facility Public Water Supply  
 Consulting Engineer Mr. Peter J. Keenan  
 American Water Services  
 Company  
 1025 Laurel Oak Rd.  
 Voorhees, NJ 08043  
 Permit Issued December 13, 2017  
 Description of Action Authorizes Pennsylvania American Water White Deer to operate a sulfuric acid-feed system in the Milton Water Treatment Plants (WTP) to control pH of coagulation.

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

**Permit No. 3017503**, Public Water Supply.  
 Applicant **Southwestern Pennsylvania Water Authority**  
 PO Box 187  
 1442 Jefferson Road  
 Jefferson, PA 15344  
 [Borough or Township] Franklin & Wayne Townships  
 County **Greene**  
 Type of Facility Bluff Ridge Water System Extension Project  
 Consulting Engineer Bankson Engineers, Inc.  
 Suite 200  
 267 Blue Run Road  
 Cheswick, PA 15024  
 Permit to Construct 12/15/2017  
 Issued

**Operations Permit** issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (**PWSID # 5020039**) Baldwin Borough and the City of Pittsburgh, **Allegheny County** on December 13, 2017 for the operation of facilities approved under Construction Permit # 0215538.

**Operations Permit** issued to: **Hampton Shaler Water Authority**, PO Box 66, 3101 McCully Road, Allison Park, PA 15101, (**PWSID # 5020019**) O'Hara Township, **Allegheny County** on December 13, 2017 for the operation of facilities approved under Construction Permit # 0217518MA.

**Operations Permit** issued to: **Hampton Shaler Water Authority**, PO Box 66, 3101 McCully Road, Allison Park, PA 15101, (**PWSID # 5020019**) Shaler Township, **Allegheny County** on December 13, 2017 for the operation of facilities approved under Construction Permit # 0217530.

**Operations Permit** issued to: **Greater Johnstown Water Authority**, 640 Franklin Street, PO Box 1407, Johnstown, PA 15901, (**PWSID # 4110014**) Stonycreek Township, **Cambria County** on December 15, 2017 for the operation of facilities approved under Construction Permit # 1117509WMP.

**Permit No. 1117510MA, Minor Amendment.** Public Water Supply.

Applicant	<b>Greater Johnstown Water Authority</b> 640 Franklin Street PO Box 1407 Johnstown, PA 15901
[Borough or Township]	East Taylor
County	<b>Cambria</b>
Type of Facility	Chemical pumps at the Saltlick WTP
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Permit to Construct Issued	December 15, 2017

**Permit No. 3017520MA, Minor Amendment.** Public Water Supply.

Applicant	<b>Southwestern Pennsylvania Water Authority</b> PO Box 187 1442 Jefferson Road Jefferson, PA 15344
[Borough or Township]	Washington Township
County	<b>Greene</b>
Type of Facility	Harris meter vault
Consulting Engineer	Bankson Engineers, Inc. Suite 200 267 Blue Run Road Cheswick, PA 15024
Permit to Construct Issued	December 13, 2017

**Permit No. 2617509MA, Minor Amendment.** Public Water Supply.

Applicant	<b>Municipal Authority of Westmoreland County</b> 124 Park & Pool Road New Stanton, PA 15672
[Borough or Township]	Hempfield Township and New Stanton Borough
County	<b>Westmoreland</b>
Type of Facility	Broadview Road to Hunker Waltz Mill Road waterline
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Permit to Construct Issued	December 15, 2017

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

**Operation Permit** issued to **Pennsylvania American Water Company, PWSID No. 6370034**, Mahoning Township, **Lawrence County**. Permit Number 3789504-T1-MA1 issued December 15, 2017 for the continued operation of facilities. This permit is issued in response to

an operation inspection conducted by the Department of Environmental Protection personnel on November 29, 2017.

#### WATER ALLOCATIONS

**Actions taken on applications received under the act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

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

**WA 58-210B**, Water Allocation, **Pennsylvania American Water Company**, 800 West Hersheypark Dr., Hershey, PA 17033, Bridgewater Township, **Susquehanna County**. Water Allocation Permit WA 58-210B grants the Pennsylvania American Water Company the right to withdraw up to 424,000 gpd (Average Annual) and 550,000 gpd (Peak Day) from Lake Montrose (Jones Lake), via an existing intake, about 1,800 feet northeast of Montrose Borough, in Bridgewater Township, Susquehanna County, while always maintaining a conservation release of 0.016 mgd (11 gpm) or 0.025 cfs. Permit issued on December 4, 2017.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

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

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

*Hazardous Waste Transporter License Issued*

**Specialty Disposal Services, Inc.**, 115 Route 46 West, Mountain Lakes, NJ 07046. License No. PA-AH 0852. Effective Dec 13, 2017.

*Hazardous Waste Transporter License Voluntarily Terminated*

**Nortru, LLC**, 515 Lycaste St., Detroit, MI 48214. License No. PA-AH 0451. Effective Dec 14, 2017.

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

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

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

**General Permit No. WMGR081D017B. EZPC Recycling LLC**, 35 Queen Street, Sinking Spring, PA 19608, located in Sinking Spring Borough, **Berks County**. The Department of Environmental Protection has reissued a Determination of Applicability under General Permit WMGR081 to EZPC Recycling, LLC. This general permit was originally issued to Computer Recycler of Eastern PA, LLC on October 13, 2016 for processing by disassembling, mechanical processing (by sizing, shaping, separating and volume reduction only), and associated storage prior to reuse or recycling at the processing or transfer facility, of uncontaminated and source-separated elec-

tronic devices. This Determination of Applicability was reissued by the Department on December 13, 2017.

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

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

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

**GP4-21-03083: Coating Concepts LLC** (405 North East Street, Carlisle, PA 17013) on December 14, 2017, for the existing burnoff oven, under GP4, at their facility located in Carlisle Borough, **Cumberland County**. The general permit authorization was renewed.

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

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

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

**36-05076A: Lancaster General Hospital** (555 North Duke Street, Lancaster, PA 17604) on December 13, 2017, for the installation of a 3.5 MW Solar Turbines Centaur 40-4700S natural gas fired combustion turbine and two (2) 2,937 bhP Caterpillar 3526C diesel fired emergency engines in the City of Lancaster, **Lancaster County**. The turbine will be equipped with a heat recovery steam generator (HRSG), low NO<sub>x</sub> option mode (SoLoNO<sub>x</sub>) and a BASF Corporation CAME<sub>T</sub> oxidation catalyst. The plan approval was extended.

**36-05002E: Armstrong World Industries, Inc.** (1067 Dillerville Road, Lancaster, PA 17604) on December 14, 2017, for installation of a new luxury vinyl tile line at their flooring plant in the City of Lancaster, **Lancaster County**. The LVT line will consist of raw material storage and handling, blanket forming, lamination, sizing, coating and curing, and edge detailing. The plan approval was extended.

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

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

**17-00069A: The Pennsylvania State University** (3641 McGeorge Road, Clearfield, PA 16830) on November 20, 2017, extended the authorization an additional 180 days from November 24, 2017 through May 23, 2018, to

allow extend operation of the generator engine under plan approval pending issuance of a State only operating permit. The source is in Lawrence Township, **Clearfield County**. The plan approval has been extended.

**08-00001B: Tennessee Gas Pipeline Company LLC** (1001 Louisiana Street, Houston, TX 77002) on December 1, 2017, extended the authorization an additional 180 days from December 2, 2017 through May 31, 2018, to allow operation of the compressor turbine under plan approval pending issuance of a State only operating permit. The source is in Wyalusing Township, **Bradford County**. The plan approval has been extended.

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

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

**62-017X: United Refining Company** (PO Box 780, Warren, PA 16365) on December 13, 2017, effective November 30, 2017, has issued a plan approval extension for installation of a 180 MMBtu/hr capacity natural gas & refinery gas-fired boiler, with flue gas recirculation and low-NO<sub>x</sub> burners at their facility in **Warren County**. This will expire on May 31, 2018. This is a Title V facility.

**Title V Operating Permits Issued under the Air Pollution Control Act 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.*

**46-00230: East Norriton Plymouth Whitpain Joint Sewer Authority** (200 Ross Street, Plymouth Meeting, PA 19462) On December 13, 2017 an initial Title V Operating Permit for operation of an existing sewage sludge incinerator plant located in Plymouth Township, **Montgomery County**.

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

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

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

**36-05144A: Lancaster Leaf Tobacco Co. of PA** (198 W. Liberty Street, PO Box 897, Lancaster, PA 17608-0897) on December 12, 2017, for the boilers at the tobacco processing facility located in Lancaster City, **Lancaster County**. The State-only permit was renewed.

**06-05128: Reading Truck Body LLC** (PO Box 650, Reading, PA 19607-0650) on December 12, 2017, for the truck body manufacturing facility located in Reading City, **Berks County**. The State-only permit was renewed.

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

**OP17-000018: Methodist Hospital** (2301 South Broad Street, Philadelphia, PA 19148) issued on December 14, 2017 for the operation of a hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include two (2) 16.76 MMBtu/hr natu-

ral gas and No. 2 Oil fired boilers each equipped with low NO<sub>x</sub> burners and two (2) diesel fired 1,114 hp emergency generators.

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

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

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

**10-00298: Luxfer Magtech Incorporated** (955 Saxonburg Blvd., Saxonburg, PA 16056-2317). On December 13, 2017, the Department issued an administrative amendment to the State Operating Permit to incorporate the change of ownership from ESM Group, Incorporated to Luxfer Magtech Inc. The tax ID, responsible official and permit contact were also changed. The facility is located in Saxonburg Borough, **Butler County**.

**20-00130: Meadville Forging Company LP** (PO Box 459, 15309 Baldwin Street Extension, Meadville, PA 16335-0459). On December 12, 2017, the Department issued an administrative amendment to the State Operating Permit to incorporate the change in responsible official and permit contact. The facility is located in Meadville City, **Crawford County**.

**25-01038: Lord Corporation Erie Facility** (2455 Robison Road West, Erie, PA 16509). On December 13, 2017, the Department issued an administrative amendment to the State Operating Permit to incorporate the change in responsible official and permit contact. The facility is located in Summit Township, **Erie County**.

**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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

*Coal Permits Issued*

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

**03951601 and NPDES No. PA0002275. Keystone Coal Mining Corporation**, (46226 National Road, Saint Clairsville, OH 43950). To renew the permit for the Keystone Cleaning Plant in Plumcreek Township, **Armstrong County**. No additional discharges. The appli-

cation was considered administratively complete on October 7, 2015. Application received June 23, 2015. Permit issued December 5, 2017.

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

**Permit No. 11120101 and NPDES No. PA0268917, E.P. Bender Coal Company, Inc.**, P.O. Box 594, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in White Township, **Cambria County**, affecting 92 acres. Receiving streams: unnamed tributaries to/and Dutch Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: July 14, 2017. Permit issued: December 14, 2017.

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

**24990101 and NPDES Permit No. PA0241491. Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201) Renewal of an existing bituminous surface mine and associated NPDES permit in Horton Township, **Elk County**, affecting 568.9 acres. Receiving streams: Mead Run. This permit is renewed for reclamation only. Application received: July 13, 2017. Permit Issued: December 11, 2017.

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

**17920115. P & N Coal Company, Inc.** (P.O. Box 332, Punxsutawney, PA 15767). Permit renewal for reclamation only of a bituminous surface coal mine located in Goshen Township, **Clearfield County** affecting 16.5 acres. Receiving stream(s): UNT to the West Branch of the Susquehanna River classified for the following use(s): WWF. There are no potable water supply intakes within 10 miles downstream. Application received: November 6, 2017. Permit issued: December 11, 2017.

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

**63080102 and NPDES Permit No. PA0251429. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258). Permit renewal issued for continued mining to an existing bituminous surface mine, located in Somerset Township, **Washington County**, affecting 187.8 acres. Receiving streams: unnamed tributaries to Center Branch Pigeon Creek. Application received: January 22, 2014. Renewal permit issued: December 12, 2017.

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

**Permit No. 49871304R5. West Cameron Mining**, (3027 Upper Road, Shamokin, PA 1872), renewal of an existing anthracite underground mine operation for reclamation activities only in West Cameron Township, **Northumberland County** affecting 2.0 acres, receiving stream: Mahanoy Creek. Application received: September 16, 2013. Renewal issued: December 13, 2017.

*Noncoal Permits Issued*

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

**Permit No. 44170802. Samuel P. Hostetler**, # 5600 SR 655, Belleville, PA 17004, commencement, operation, and restoration of a small noncoal (industrial minerals) operation in Union Township, **Mifflin County**, affecting 5.0 acres, receiving stream: unnamed tributary to

Kishacoquillas Creek. Permit received: August 9, 2017. Permit issued: December 13, 2017.

**PAM417012-GP104. Samuel P. Hostetler**, # 5600 SR 655, Belleville, PA 17004. General NPDES Permit for stormwater discharges associated with mining activities on Noncoal Permit No. 44170802 located in Union Township, **Mifflin County**. Receiving stream: Unnamed Tributary to Kishacoquillas Creek, classified for the following uses: Cold Water Fishes and Migratory Fishes. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: August 9, 2017. Coverage Approved: December 13, 2017.

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

**3076SM4 and NPDES Permit No. PA0259730. Conneaut Lake Sand & Gravel, Inc.** (P.O. Box 233, West Middlesex, PA 16159) Revision to an existing large noncoal permit to add an NPDES permit in Sadsbury Township, **Crawford County**, affecting 107.0 acres. Receiving streams: Unnamed tributary to Conneaut Lake. Application received: September 5, 2017. Permit Issued: December 11, 2017.

**PAM617047. RWE Holding Company** (P.O. Box 144, Portersville, PA 16051) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 37870303 in Taylor Township, **Lawrence County**. Application received: November 16, 2017. Permit Issued: December 11, 2017.

**PAM617041. Dorothy M. & Timothy B. Girts** (11850 Findley Lake Road, North East, PA 16248) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 25800303 in North East Township, **Erie County**. Application received: November 1, 2017. Permit Issued: December 11, 2017.

**PAM617039. Robert E. & Ruth Ann Watson** (38881 Armstrong Road, Centerville, PA 16404) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 20840301 in Centerville Borough, **Crawford County**. Application received: November 1, 2017. Permit Issued: December 11, 2017.

**PAM617043. Hasbrouck Sand & Gravel, Inc.** (12225 Gresham Road, Titusville, PA 16354) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 20830309 in Bloomfield Township, **Crawford County**. Application received: November 6, 2017. Permit Issued: December 11, 2017.

**PAM617040. Meadville Redi-Mix Concrete, Inc.** (P.O. Box 419, Meadville, PA 16335) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 20830306 in East Fairfield Township, **Crawford County**. Application received: November 1, 2017. Permit Issued: December 11, 2017.

**04000301. Bet-Tech International, Inc.** (100 Bet-Tech Drive, Aliquippa, PA 15001-2419) Transfer of an existing large industrial minerals mine from Beaver Valley Slag, Inc. in Center Township, **Beaver County**, affecting 253.4 acres. Receiving streams: Ohio River and Blacks Run. Application received: September 6, 2017. Permit Issued: December 13, 2017.

**16150302 and NPDES Permit No. PA0259691. Amerikohl Aggregates, Inc.** (202 Sunset Drive, Butler, PA 16001) Commencement, operation and restoration of a large industrial minerals mine in Richland Township, **Clarion County**, affecting 232.5 acres. Receiving streams: Three unnamed tributaries to Turkey Run. Application received: October 5, 2016. Permit Issued: December 13, 2017.

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

**NPDES PA0269760. North Penn Supply Quarries, LLC.** (269 Route 6 West, Galetton, PA 16922). New NPDES permit on GP-105 permit 53162501 located in Sweden Township, **Potter County** affecting 10.0 acres. Receiving stream(s): Mill Creek. Application received: August 22, 2016. Permit issued: December 6, 2017.

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

**65900402 and NPDES Permit No. PA0591777. Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Connellsville, PA 15425-9503). Permit issued for commencement, operation and restoration of a large noncoal surface mine, located in Derry and Fairfield Townships, **Westmoreland County**, affecting 1,791.2 acres. Receiving streams: Dry Run, Unnamed tributaries to Cone-maugh River; Unnamed tributary to Tannery Hollow, Unnamed tributaries to Freeman Run and Unnamed tributaries to Harbridge Run. Application received: March 7, 2016. Permit issued: December 15, 2017.

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

**Permit No. PAM117039. Zeisloft Construction Company**, (P.O. Box 388, Bloomsburg, PA 17815), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 19940301 in Orange Township, **Columbia County**, receiving stream: Fishing Creek. Application received: September 13, 2017. Permit issued: December 13, 2017.

**Permit No. 8274SM6C5 and NPDES Permit No. PA0595349. Pennsy Supply, Inc.**, (P.O. Box 3331, Harrisburg, PA 17105), renewal of NPDES permit for discharge of treated mine drainage in East Hempfield Township, **Lancaster County**, receiving stream: unnamed tributary to Little Conestoga. Application received: August 4, 2017. Renewal Issued: December 14, 2017.

**Permit No. PAM117048. Glasgow, Inc.**, (P.O. Box 1089, Glenside, PA 19038), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 5477SM1 in Plymouth Township, **Montgomery County**, receiving stream: Schuylkill River. Application received: November 2, 2017. Permit Issued: December 14, 2017.

**Permit No. 64162801 and NPDES Permit No. PA0225428. Joshua Smith**, (23 Forester Boulevard, Hancock, NY 13783), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Scott Township, **Wayne County** affecting 7.3 acres, receiving stream: Balls Creek & Delaware River. Application received: August 8, 2016. Permit issued: December 14, 2017.

## 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*

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

**03831303. R.G. Johnson Company** (P.O. Box 1020, 158 Portal Road, Waynesburg, PA 15370). Blasting Plan for the construction of Cumberland # 11 Airshaft, located in Center Township, **Greene County** with an expiration date of December 11, 2018. Blasting permit issued: December 11 2017.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### **WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E45-604, Dolores Boisselle**, 137 Manhattan Ave., Teaneck, NJ 07666, in Coolbaugh Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a 1 1/4 inch diameter sewer lateral crossing through approximately 100 feet of wetlands (EV) to provide sewer access to a proposed home. The project is located approximately 400 feet northeast of the intersection of Onawa Trail & Watami Road (Thornhurst, PA Quadrangle: Latitude 41° 9' 33.4"; Longitude -75° 34' 30.9").

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

**E02-1760, Newbury Development Associates, LP**, 1263 Newbury Highlands, Pittsburgh, PA 15017, South Fayette Township, **Allegheny County**, Pittsburgh ACOE District.

Has been given consent to:

1. Widen and maintain the existing bridge (Access Road 3) having a span of 77.0 feet with a minimum underclearance of 5.9 feet across Millers Run (WWF),
2. Construct and maintain a new bridge (Access Road 4) having a span of 82.0 feet with a minimum underclearance of 14.3 feet across Millers Run,
3. Place and maintain fill in approximately
  - a. 0.53 acre of open water in association with the construction of mitigation area MA-2 and
  - b. 0.40 acre of wetland (aka Wetland 7), and
4. Construct and maintain nine (9) outfall structures along Millers Run and Chartiers Creek (WWF) and UNT-8 that will cumulatively impact 142.25 feet of watercourse and/or 1.911 ft<sup>2</sup> floodway.

To compensate for the environmental impacts listed above, and the environmental impacts that were authorized by Permit No. E02-1574, the applicant will reconstruct and relocate approximately 1,629 linear feet of watercourses, in Mitigation Areas 1 and 2 (aka MA-1 and MA-2), will construct approximately 2.16 acres of replacement wetland in MA-1, MA-2 and MA-3, and will construct approximately 0.61 acre of open water habitat in MA-2 and MA-3. In addition, the permittee will also make a payment into an approved wetland mitigation bank to compensate for a portion (0.23 acre) of the proposed impacts to Wetland 7. The project purpose is to construct Phases II and III of the retail and commercial portion of the Newbury Market Town Center development. (Impacts that occurred to watercourses, floodways and bodies of water, including wetlands, in association with the construction of Phase 1 of this development project, were authorized under Permit No. E02-1574.) The project is located on the west side of SR 79, approxi-



mately 8,000.0 feet northwest from the intersection of SR 50 and SR 79 (Bridgeville PA Quadrangle N: 21.0 inches; W: 17.5 inches; Latitude: 40° 21' 45"; Longitude: -80° 7' 18") in South Fayette Township, Allegheny County.

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

**E62-437, Columbia Gas of Pennsylvania, Inc.**, 2021 West State Street, New Castle, PA 16101. D-4005 Pipeline Installation, in Sheffield Township, **Warren County**, ACOE Pittsburgh District (Sheffield, Ludlow, Lynch, Russell City, PA Quadrangle N: 41°, 38', 26"; W: 79°, 00', 19").

Install approximately 8,160 feet of 6-inch plastic natural gas pipeline along SR 948 in Sheffield Township, Warren County and Howe Township, Forest County (Sheffield, Ludlow, Lynch, and Russell City, PA Quadrangles; From N: 41.640814°; W: 79.005545° to N: 41.622483°; W: 78.991217°) with the following impacts in Warren County:

A. Nine (9) pipeline crossings of tributaries to South Branch Tionesta Creek to be installed by open cut under existing culverts in the shoulder of SR 948 (8 of these crossings are streams with less than 100 acres contributory drainage);

B. Three (3) pipeline crossings of floodways of tributaries to South Branch Tionesta Creek to be installed by open cut in the shoulder of SR 948 (2 of these crossings are streams with less than 100 acres contributory drainage);

C. One (1) pipeline crossing of a wetland (106 LF) to be installed by horizontal directional drill.

Impacts within Forest County are authorized by DEP Permit No. GP052717602.

#### **EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

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

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-2 # ESX17-007-0007

Applicant Name Penn Energy Resources, LLC

Contact Person Gregg Stewart

Address 1000 Commerce Drive, Park Place, Suite 400

City, State, Zip Pittsburgh, PA 15275

County Beaver County

Township(s) Marion and New Sewickley Townships

Receiving Stream(s) and Classification(s) UNT to Connoquenessing Creek (WWF)

ESCGP-2 # ESX17-125-0021

Applicant Name Range Resources—Appalachia, LLC

Contact Person Karl Matz

Address 3000 Town Center Boulevard

City, State, Zip Canonsburg, PA 15317

County Washington County

Township(s) Cecil Township

Receiving Stream(s) and Classification(s) UNTs to Millers Run (WWF)

ESCGP-2 # ESX17-007-0009

Applicant Name Range Resources—Appalachia, LLC

Contact Person Karl Matz

Address 3000 Town Center Boulevard

City, State, Zip Canonsburg, PA 15317

County Beaver County

Township(s) Hanover Township

Receiving Stream(s) and Classification(s) Wingfield Run (WWF) & UNTS to Aunt Clara Fork Kings Creek (CWF)

ESCGP-2 # ESX17-125-0033

Applicant Name Range Resources—Appalachia, LLC

Contact Person Karl Matz

Address 3000 Town Center Boulevard

City, State, Zip Canonsburg, PA 15317

County Washington County

Township(s) Jefferson Township

Receiving Stream(s) and Classification(s) UNT to Scotts Run (WWF)

ESCGP-2 # ESG17-059-0024

Applicant Name Rice Water Service (PA), LLC

Contact Person Cory Harris

Address 2200 Rice Drive

City, State, Zip Canonsburg, PA 15317

County Greene County

Township(s) Richhill, Aleppo, & Jackson Townships

Receiving Stream(s) and Classification(s) UNTs to House Run (HQ-WWF) and the following (TSF) streams: North Fork of Dunkard Fork, UNTs to Long Run, Long Run, UNTs to Job Creek, Job Creek, UNTs to Falling Timber Run, Falling Timber Run, and UNTs to Webster Creek

ESCGP-2 # ESX17-125-0057

Applicant Name MarkWest Liberty Midstream & Resources LLC

Contact Person Rick Lowry

Address 4600 J. Barry Court, Suite 500

City, State, Zip Canonsburg, PA 15317

County Washington County

Township(s) Midway Borough, Robinson Township, Mount Pleasant Township

Receiving Stream(s) and Classification(s) UNTs to Robinson Run (WWF), Robinson Run (WWF), & Little Racoon Run (WWF)

ESCGP-2 # ESX17-059-0022

Applicant Name EQM OPCO, LLC

Contact Person Brinton Goettel

Address 555 Southpointe Blvd

City, State, Zip Canonsburg, PA 15317

County Greene County

Township(s) Jefferson Township

Receiving Stream(s) and Classification(s) Rush Run (WWF), UNTs to Rush Run (WWF), UNT to South Fork Tenmile Creek (WWF)

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

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012517007	Columbia Gas Transmission, LLC 1700 MacCorkle Avenue, SE Charleston, WV 25314	Washington County	Robinson Township; Mount Pleasant Township	Robinson Run (WWF); Little Raccoon Creek (WWF)

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

ESCGP-2 # ESX29-115-17-0038  
Applicant Name Williams Field Services Co LLC  
Contact Person Kristy Grigas  
Address Park Place Corporate Ctr 2, 2000 Commerce Dr  
City, State, Zip Pittsburgh, PA 15275  
County Susquehanna  
Township(s) Bridgewater, Brooklyn, New Milford  
Receiving Stream(s) and Classification(s) UNTs to Martins Ck (CWF-MF); UNTs to Meshoppen Ck (CWF-MF); and UNTs to and including Hop Bottom Ck (CWF-MF)

ESCGP-2 # ESX29-015-17-0029  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Keri Fieno  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Tuscarora  
Receiving Stream(s) and Classification(s) UNT to Little Tuscarora Ck (CWF, MF): Little Tuscarora Ck (CWF, MF)  
Secondary—Susquehanna River

ESCGP-2 # ESG29-117-17-0045  
Applicant Name SWEPI LP  
Contact Person Jason Shoemaker  
Address 150 N Dairy Ashford E1296E  
City, State, Zip Houston, TX 44079  
County Tioga  
Township(s) Liberty  
Receiving Stream(s) and Classification(s) Brion Ck (HQ-CWF); Roaring Ck (HQ-CWF)

ESCGP-2 # ESG29-081-17-0030  
Applicant Name EXCO Resources PA LLC  
Contact Person Brian Rushe  
Address 260 Executive Dr, Suite 100  
City, State, Zip Cranberry Twp, PA 16066  
County Lycoming  
Township(s) Mifflin  
Receiving Stream(s) and Classification(s) UNT to Mud Run (EV); Mud Run (EV)  
Secondary—Mud Run (EV); First Fork Larrys Ck (EV)

ESCGP-2 # ESG29-113-17-0006  
Applicant Name Chief Oil & Gas LLC  
Contact Person Jeffrey Deegan  
Address 1720 Sycamore Rd  
City, State, Zip Montoursville, PA 17754  
County Sullivan  
Township(s) Cherry  
Receiving Stream(s) and Classification(s) Mill Ck (EV)

ESCGP-2 # ESG29-081-17-0033  
Applicant Name Inflection Energy PA LLC  
Contact Person Gregg Saunders  
Address 101 W Third St, 5th Fl  
City, State, Zip Williamsport, PA 17701  
County Lycoming  
Township(s) Shrewsbury  
Receiving Stream(s) and Classification(s) Fox Run (EV);

UNT to Lick Run (EV)  
Secondary—Muncy Ck (EV); Lick Run (EV)

ESCGP-2 # ESG29-105-17-0023  
Applicant Name JKLM Energy LLC  
Contact Person Joseph Harrick  
Address 2200 Georgetowne Dr, Suite 500  
City, State, Zip Sewickley, PA 15143  
County Potter  
Township(s) Hector  
Receiving Stream(s) and Classification(s) UNTs to California Ck (HQ-CWF); California Ck (HQ-CWF); Cushing Hollow (HQ-CWF)  
Secondary—California Ck (HQ-CWF); Genesee Forks (HQ-CWF)

## SPECIAL NOTICES

### **Air Quality; Proposed Revision to the State Implementation Plan for Oxides of Nitrogen, Volatile Organic Compounds, Notice of Public Hearing and Notice of Intent to Issue Revised Air Quality Operating Permit 14-00002**

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

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

Approval of a Reasonably Available Control Technology (RACT II) plan for **Graymont (PA), Inc.** located in Spring Township, **Centre County**.

In accordance with 25 Pa. Code §§ 129.96—129.100, the Department of Environmental Protection has made a preliminary determination to approve a RACT II plan and an amendment to the State Implementation Plan (SIP) for the lime manufacturing plant owned and operated by Graymont (PA), Inc. in Spring Township, Centre County.

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

The proposed amendments to the RACT II determination, if finally approved, will be incorporated into a revised operating permit (14-00002) for the facility. The relevant RACT II requirements will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan and will remain in effect until replaced pursuant to 40 CFR 51 and approval by the EPA. Requirements that are not part of the RACT II determination will be excluded from the SIP submittal includes the provisions of the Department's presumptive Reasonably Available Control Technology requirements of 25 Pa. Code § 129.97, as they apply to existing NO<sub>x</sub> air contamination sources at this facility. The facility is not a major VOC emitting facility.

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

*Source*

Kiln # 6 (Source ID P408)

Kiln # 7 (Source ID P413)

Kilns # 6 & 7 (Source IDs P408 and P413)

*RACT II Requirement*

a NO<sub>x</sub> emission limit equal to 205 lbs/hr based on 30-day average, rolling by 1 day and an annual NO<sub>x</sub> emission limit equal to 767 tons based on 12-month sum, rolling by 1 month, as monitored by kiln 6's NO<sub>x</sub> continuous emissions monitoring system (CEMS)

a NO<sub>x</sub> emission limit equal to 179 lbs/hr based on 30-day average, rolling by 1 day and an annual NO<sub>x</sub> emission limit equal to 709 tons based on 12-month sum, rolling by 1 month, as monitored by kiln 7's NO<sub>x</sub> CEMS

The permittee shall keep records for Source IDs P408 and P413 to demonstrate compliance with their RACT II requirements in the following manner:

- (1) The records shall include sufficient data and calculations to demonstrate that the requirements are met.
- (2) Data or information required to determine compliance shall be recorded and maintained in a time frame consistent with the averaging period of the requirement.

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 Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. A 30-day comment period will exist upon publication of this notice for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed RACT II Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the proposed RACT II Plan.

*Public hearing.* A public hearing will be held if requested within the 30-day comment period to accept oral comments on the proposed operating permit revision and the proposed SIP revision. The hearing will be held, if requested, on February 9, 2018, at 10 a.m. at the DEP Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. To request a hearing, to register to speak at a hearing, or to inquire if a hearing will be held, contact Megan Lehman at 570-327-3659. The last day to pre-register to speak at a hearing, if one is held, will be 30 days from the final publication date of this notice.

Any updates made to any aspect of the hearing, including whether or not a hearing will be held, will be posted online at <http://www.dep.pa.gov/About/Regional/North-central-Regional-Office/Pages/default.aspx>.

Contact Megan Lehman at 570-327-3659 or monitor the Department's web site to determine if a hearing will be held.

Persons wishing to present testimony at the hearing should contact Megan Lehman at 570-327-3659 at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes per individual and two written copies of the oral testimony are requested. Each organization is requested to designate one witness to present testimony on its behalf. Persons unable to attend the hearing, if it is held, may submit three copies of a written statement and exhibits within 10 days thereafter to Muhammad Q. Zaman, Environmental Program Manager,

Department of Environmental Protection, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

All pertinent documents are available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Appointments for scheduling a review may be made by calling the Department at (570) 327-0550.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Megan Lehman at (570) 327-3659 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

[Pa.B. Doc. No. 17-2178. Filed for public inspection December 29, 2017, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us/dsweb/HomePage>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 787-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Final Technical Guidance Document: Substantive Revision*

**DEP ID:** 563-2112-214. **Title:** Coal and Noncoal Surface Mining Activity Permit Pre-Application Review. **Description:** This revised technical guidance describes a standard, voluntary pre-application process to facilitate discussion between a mine operator and the Department concerning items which will need to be addressed in the formal coal or noncoal permit application. This process is beneficial for ensuring the submission of a complete permit application with the goal of reducing the time required to process a permit application. This technical guidance was published as draft at 47 Pa.B. 5857 (September 16, 2017) and no comments were received.

**Contact:** Sharon Hill at (717) 787-6842 or [shill@pa.gov](mailto:shill@pa.gov)

**Effective Date:** December 30, 2017

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-2179. Filed for public inspection December 29, 2017, 9:00 a.m.]

restoration, 1 L.S.; 8" and 6" PVC pipe including fittings, 70,500 linear feet; 8" and 6" gate valve and roadway valve box, 70 each; 2A stone, 20,445 cubic yards; service lateral connections, 151 each; highway crossing boring, 300 linear feet; repaving—25 mm superpave base course, 2,000 tons; repaving—9 mm superpave wearing course, 7,300 square feet; SR-153 Krebbs highway pressure reducing vault, 1 each; bolted stainless-steel water storage tank including foundation, 1 L.S.; and packaged water booster pumping station complete, 1 L.S.

This bid issues on December 22, 2017, and bids will be opened on January 25, 2018, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection by going to [www.BidExpress.com](http://www.BidExpress.com). This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 for more information on this bid.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-2181. Filed for public inspection December 29, 2017, 9:00 a.m.]

### Bid Opportunity

**OOGM 17-1, Cleaning Out and Plugging One Orphan Gas Well, East Keating Township, Clinton County.** The principal items of work and approximate quantities include the following: clean out and plug one orphan gas well, estimated to be 6,000 feet in depth, to Department of Environmental Protection (Department) specifications; prepare and restore well sites/site; and mobilize and demobilize plugging equipment.

This bid issues on December 22, 2017, and bids will be opened on January 25, 2018, at 2 p.m. Bid documents, including drawings in PDF format and AutoCAD map 3D format, may be downloaded for free beginning on the issue date from the Department by going to [www.BidExpress.com](http://www.BidExpress.com). A mandatory prebid conference is scheduled for January 4, 2018, at 10 a.m. Contractors shall meet at the Department of Conservation and Natural Resources, Sproul Forest District, 15187 Renovo Road, Renovo, PA 17764. Failure to attend the prebid conference will be cause for rejection of the bid. Contact the Construction Contracts Section at (717) 787-7820 for more information on this bid. Note this is a Small Construction Business Program bid opportunity.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-2180. Filed for public inspection December 29, 2017, 9:00 a.m.]

### Bid Opportunity

**OSM 17(6483)101.1, Water Main Extension Project, Pine Grove North (Glen Richey) Waterline, Lawrence Township, Clearfield County.** The principal items of work and approximate quantities include: mobilization and demobilization, 1 L.S.; site preparation and

### Extension of Availability of Rebates through the Pennsylvania Alternative Fuel Vehicle Rebate Program

The Department of Environmental Protection (Department) announces the continued availability of grants to Commonwealth residents under Pennsylvania's Alternative Fuel Vehicle (AFV) Rebate Program (Program). The Program, administered by the Department through the Alternative Fuels Incentive Grant (AFIG) Program, provides rebates to Commonwealth residents to assist individuals with the incremental costs of purchasing an AFV.

To qualify for the rebate, the AFV must be registered and primarily operated in this Commonwealth. The rebate will be offered on a first-come, first-served basis in the order in which applications are received. Rebate request forms and required documentation must be submitted to the Department no later than 6 months after the vehicle is purchased.

All AFV rebates must be submitted online using the eGrants system. To submit an application, visit <https://www.esa.dced.state.pa.us/Login.aspx>.

The highlights of the Program are as follows:

- The purchase price of any vehicle eligible for a rebate must be less than \$50,000.
- A \$1,750 rebate for battery electric vehicles (BEV) and plug-in hybrid electric vehicles (PHEV) with a battery capacity greater than or equal to 20 kWh.
- A \$1,000 rebate for BEVs and PHEVs with a battery capacity between 10 kWh and 20 kWh.
- A \$750 rebate for BEVs and PHEVs with a battery capacity less than 10 kWh.
- In addition to rebates for new AFVs, one-time preowned AFVs with 75,000 miles or less and a true market value of \$50,000 or less will be eligible to receive a rebate if they meet one of the two following conditions:

1. The resident receiving the rebate must register the one-time preowned vehicle at an address within an air quality nonattainment area for ozone within Allegheny, Armstrong, Bucks, Butler, Chester, Delaware, Montgomery, Philadelphia, Washington and Westmoreland Counties.

2. The resident receiving the rebate must register the one-time preowned vehicle at any address in this Commonwealth and must have a household income that is below 200% of the Federal Income Poverty level, as defined by the United States Department of Health and Human Services (<https://aspe.hhs.gov/poverty-guidelines>). Commonwealth residents who apply for a rebate under this condition will be required to report and verify all earned and unearned income with their application for determining eligibility. A valid source of income verification may include Federal or State tax returns. Verification documents must be included when submitting the rebate request form.

Approximately 500 rebates at all levels will be available. The Program will be offered until the AFIG Program moneys are exhausted and will be reassessed on June 30, 2018.

The Program guidelines, application instructions and rebate availability can be accessed at <http://www.dep.pa.gov> (select "Citizens," then "Grants, Loans and Rebates," then "Alternative Fuels Incentive Grant," then "Alternative Fuel Vehicles"). To submit an application, visit <https://www.esa.dced.state.pa.us/Login.aspx>.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-2182. Filed for public inspection December 29, 2017, 9:00 a.m.]

### Mining and Reclamation Advisory Board; Regulatory, Legislative and Technical Committee Meeting

The Mining and Reclamation Advisory Board's Regulatory, Legislative and Technical Committee will meet on January 11, 2018, from 9 a.m. to 10 a.m. in Conference Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

The agenda and meeting materials for the meetings are available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at [www.dep.pa.gov](http://www.dep.pa.gov) (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Mining and Reclamation Advisory Board (MRAB)"). Questions concerning the meeting can be directed to Daniel E. Snowden at (717) 783-8846 or [dsnowden@pa.gov](mailto:dsnowden@pa.gov).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-2183. Filed for public inspection December 29, 2017, 9:00 a.m.]

### State Board for Certification of Sewage Enforcement Officers; 2018 Sewage Enforcement Officers Examinations Schedule

The State Board for Certification of Sewage Enforcement Officers (Board) and the Department of Environmental Protection (Department) have scheduled four examinations for 2018. To qualify to sit for the certification examination, all Sewage Enforcement Officer (SEO) candidates must complete the Pre-Certification Academy. Examination applications must be received (not post-marked) by the Board, complete and correct by close of business on the deadlines indicated. Applications received after these dates will not be considered for examination. Applications that do not contain all the necessary required information will be returned and will not be considered eligible for the examination. The examination schedule for 2018 is as follows:

Examination Date:	Monday, February 5, 2018 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
Examination Application Deadline:	January 5, 2018
Location:	Department of Environmental Protection Rachel Carson State Office Building 4th Floor Training Room 400 Market Street Harrisburg, PA 17101
Examination Date:	Friday, May 18, 2018 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
Examination Application Deadline:	April 18, 2018
Location:	Pennsylvania State Association of Township Supervisors PSATS Education Center 4855 Woodland Drive Enola, PA 17025
Examination Date:	Monday, August 6, 2018 (8:30 a.m. registration, exam 9 a.m. to 12:30 p.m.)
Examination Application Deadline:	July 6, 2018
Location:	Department of Environmental Protection Rachel Carson State Office Building 4th Floor Training Room 400 Market Street Harrisburg, PA 17101
Examination Date:	Friday, October 19, 2018 (12:30 p.m. registration, exam 1 p.m. to 4:30 p.m.)
Examination Application Deadline:	September 19, 2018
Location:	Pennsylvania State Association of Township Supervisors PSATS Education Center 4855 Woodland Drive Enola, PA 17025

Additional examination dates will be posted as scheduled.

The SEO written examination contains 100 multiple-choice questions covering planning requirements, administration and enforcement of the permit program, and technical criteria for soils and disposal systems with a 3 1/2-hour time limit. The passing grade is 50% correct responses in each subject area and an overall minimum of 70 correct answers on the entire examination. This is an open book examination. Applicants are not permitted to bring their own materials. Necessary reference materials will be provided at the test site.

Examination applications may be obtained by contacting the Department of Environmental Protection, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8774, Harrisburg, PA 17105-8774, at (717) 772-2186 or RA-seotrng@pa.gov.

Applicants will receive an admittance letter from the Board prior to the date of the examination.

Persons who anticipate the need for a testing accommodation due to a disability should contact the Board at (717) 772-5157 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss the request. This request must be submitted with the application form.

PATRICK McDONNELL,  
*Secretary*

[Pa.B. Doc. No. 17-2184. Filed for public inspection December 29, 2017, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Establishment of Minimum Standard Requirements for Sexual Assault Evidence Collection

Section 3 of the Sexual Assault Testing and Evidence Collection Act (act) (35 P.S. § 10172.3) establishes a Statewide sexual assault evidence collection program to be administered by the Department of Health (Department). Under this program the Department is to consult with the Pennsylvania Coalition Against Rape (PCAR) and the State Police to develop and review on a scheduled basis the minimum standard requirements for all rape kits used in hospitals and health care facilities in this Commonwealth, to test and approve commercially available rape kits for use in this Commonwealth and to establish a program to train appropriate personnel in the correct use and application of rape kits.

Under the act, the Department, in consultation with PCAR and the State Police, established a Sexual Assault Evidence Collection Committee (Committee). The Committee includes representatives of the Department, PCAR, the State Police, the Hospital and Healthsystem Association of Pennsylvania, forensic nurse examiners, members of sexual assault response teams and law enforcement.

In accordance with the act, the Committee met on September 12, 2017, and reviewed and revised the minimum standard requirements for sexual assault evidence collection in this Commonwealth. The minimum standard requirements established by the Committee should be observed by all health care facilities and child advocacy centers in this Commonwealth, and these facilities and centers should meet or exceed those minimum standard requirements.

Under 28 Pa. Code § 117.52(a)(1) (relating to minimum requirements for sexual assault emergency services), all

hospitals providing sexual assault emergency services under 28 Pa. Code §§ 117.51—117.58 (relating to sexual assault victim emergency services) “shall utilize a rape kit that complies with the minimum standard requirements developed by the Department or that is otherwise approved by the Department under the [act].” Accordingly, this publication shall serve as notice to those hospitals of the minimum standard requirements developed by the Committee and approved by the Department under the act.

The following minimum standard requirements for sexual assault evidence collection are in effect:

#### Minimum Standard Requirements Sexual Assault Evidence Collection Kit Contents

Step 1 Consent for Collection and Release of Evidence and Information Form

Step 2 Clothing and Underpants Collection

Step 3 Oral Assault Collection Samples

Step 4 Miscellaneous Collection (Debris, Dried Secretions, Tampon/Sanitary Napkin)

Step 5 Fingernail Swabbings

Step 6 External Genitalia Collection Sample

Step 7 Vaginal Assault Collection Samples

Step 8 Perianal/Rectal Assault Collection Samples

Step 9 Buccal Swab Collection (for DNA Analysis)

Step 10 Transfer of Evidence Form

Any persons who require more information regarding these requirements may contact Beth Zakutney, Sexual Violence Prevention and Education Program Administrator, (717) 547-3234, bzakutney@pa.gov.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Garrison E. Gladfelter, Jr., Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 783-8980, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 17-2185. Filed for public inspection December 29, 2017, 9:00 a.m.]

### Special Pharmaceutical Benefits Program Advisory Council Public Meeting

The Statewide Special Pharmaceutical Benefits Program (SPBP) Advisory Council, established by the Department of Health (Department) to aid in the carrying out of its Federal grant responsibilities under section 2616 of the Ryan White Comprehensive AIDS Resource Emergency Act of 1989 (42 U.S.C.A. § 300ff-26), will hold a public meeting on Thursday, January 25, 2018, from 10 a.m. to 12 p.m. at the Health and Welfare Building, 625 Forster Street, Harrisburg, PA.

The SPBP Advisory Council will provide program guidance and recommendations to the Department's SPBP in regard to the following: drug formulary; covered lab

services; drug utilization review; clinical programs; eligibility; and program management.

For additional information, or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation, contact John Haines, Special Pharmaceutical Benefits Program, Bureau of Communicable Diseases, Department of Health, Room 611, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (800) 922-9384. Speech or hearing impaired persons should contact V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without prior notice.

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 17-2186. Filed for public inspection December 29, 2017, 9:00 a.m.]

**Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices and Competitive Prices**

**Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery methods), the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2018, through March 31, 2018, the Maximum Allowable Prices the Department of Health will pay Type 1 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.25
Beans/Peas—Dry—16 oz. ....	\$2.18
Canned Fish—Pink Salmon ....	\$2.20
Canned Fish—Sardines ....	\$1.50
Canned Fish—Tuna ....	\$1.29
Cereal (per oz.) ....	\$0.33
Cheese, 16 oz. ....	\$7.31
Eggs ....	\$2.35
Infant Cereal—8 oz. ....	\$2.45
Infant Fruits, 100%—4 oz. ....	\$0.97
Infant Vegetables, 100%—4 oz. ....	\$0.97
Infant Meats, 100%—2.5 oz. ....	\$1.06
Juice—11.5/12 oz. ....	\$2.56
Juice—48 oz. ....	\$3.25
Juice—64 oz. ....	\$3.99
Kosher Cheese—16 oz. ....	\$8.40
Kosher Lowfat and 2% Milk—quart ....	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon ....	\$3.27
Kosher Whole Milk—quart ....	\$1.80
Kosher Whole Milk—1/2 gallon ....	\$3.37
Milk, Dry—9.6 oz. ....	\$4.27
Milk, Dry—25.6 oz. ....	\$9.55

<i>Description</i>	<i>Maximum Allowable Price</i>
Milk, Evaporated—12 oz. ....	\$1.53
Milk, Lowfat and 2%—quart ....	\$1.36
Milk, Lowfat and 2%—1/2 gallon ....	\$2.29
Milk, Lowfat and 2% Lactose Free—quart ....	\$2.32
Milk, Lowfat and 2% Lactose Free—1/2 gallon ...	\$3.99
Milk, Whole—quart ....	\$1.45
Milk, Whole—1/2 gallon ....	\$2.29
Milk, Whole Lactose Free—quart ....	\$2.47
Milk, Whole Lactose Free—1/2 gallon ....	\$3.99
Peanut Butter—16—18 oz. ....	\$3.29
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.29
Soy Beverage—8th Continent 64 oz. ....	\$3.59
Tofu—16 oz. ....	\$2.57
Whole Grain—Bread, 16 oz. ....	\$3.49
Whole Grain—Bread, 24 oz. ....	\$3.95
Whole Grain—Brown Rice, 16 oz. ....	\$1.80
Whole Grain—Brown Rice, 24 oz. ....	\$3.32
Whole Grain—Oats, 16 oz. ....	\$2.44
Whole Grain—Oats, 24 oz. ....	\$5.39
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.57
Whole Wheat Pasta ....	\$1.37
Yogurt Nonfat ....	\$3.10
Yogurt Lowfat ....	\$3.10
Yogurt Wholefat ....	\$3.10
Boost RTF Formula—8 oz. ....	\$1.79
EnfaCare RTF Formula—32 oz. ....	\$7.30
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$17.60
Nutramigen Concentrate Formula—13 oz. ....	\$7.49
Nutramigen RTF Formula—32 oz. ....	\$9.99
Nutramigen w/Enflora Powder Formula— 12.6 oz. ....	\$26.30
Pediasure RTF Formula—8 oz. ....	\$1.93
Pediasure w/Fiber RTF Formula—8 oz. ....	\$1.99
Pediasure Sidekicks RTF Formula—8 oz. ....	\$1.85
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.15
Similac Advance RTF Formula—Blue—32 oz. ...	\$7.65
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$16.06
Similac Expert Care Alimentum RTF Formula—32 oz. ....	\$10.29
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz. ....	\$28.39
Similac Expert Care for Diarrhea RTF Formula—32 oz. ....	\$7.89
Similac Expert Care NeoSure RTF Formula— 32 oz. ....	\$8.55
Similac Expert Care NeoSure Powder Formula—13.1 oz. ....	\$17.89
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs. ....	\$22.49
Similac for Spit Up RTF Formula—Green— 32 oz. ....	\$7.95
Similac for Spit Up Powder Formula—Green— 12.0 oz. ....	\$16.59
Similac Sensitive RTF Formula—Orange—32 oz. ...	\$7.49
Similac Sensitive Powder Formula—Orange— 12.0 oz. ....	\$16.19
Similac Soy Isomil Concentrate Formula— Pink—13 oz. ....	\$5.51
Similac Soy Isomil RTF Formula—Pink—32 oz. ...	\$7.69
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$16.59
Similac Total Comfort Powder Formula— Purple—12.0 oz. ....	\$16.59

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustment).

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective, January 1, 2018, through March 31, 2018, the Competitive Prices for WIC Authorization for Type 1 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.19
Beans/Peas—Dry—16 oz. ....	\$1.98
Canned Fish—Pink Salmon .....	\$2.19
Canned Fish—Sardines .....	\$1.43
Canned Fish—Tuna .....	\$1.19
Cereal (per oz.) .....	\$0.31
Cheese, 16 oz. ....	\$6.84
Eggs .....	\$2.29
Infant Cereal—8 oz. ....	\$2.34
Infant Fruits, 100%—4 oz. ....	\$0.84
Infant Vegetables, 100%—4 oz. ....	\$0.84
Infant Meats, 100%—2.5 oz. ....	\$1.05
Juice—11.5/12 oz. ....	\$2.39
Juice—48 oz. ....	\$3.10
Juice—64 oz. ....	\$3.59
Kosher Cheese—16 oz. ....	\$7.79
Kosher Lowfat Milk—1/2 gallon .....	\$3.15
Kosher Whole Milk—1/2 gallon .....	\$3.19
Milk, Lowfat—1/2 gallon .....	\$2.15
Milk, Whole—1/2 gallon .....	\$2.22
Peanut Butter—16—18 oz. ....	\$3.20
Whole Grain—Bread, 16 oz. ....	\$3.35
Whole Grain—Brown Rice, 16 oz. ....	\$1.69
Whole Grain—Oats, 16 oz. ....	\$2.39
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.43
Whole Wheat Pasta .....	\$1.35
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.15
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$16.06
Similac Soy Isomil Concentrate Formula— Pink—13 oz. ....	\$5.51
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$16.59

**Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2018, through March 31, 2018, the Maximum Allowable Prices the Department of Health will pay Type 2 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.35

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans/Peas—Dry—16 oz. ....	\$2.26
Canned Fish—Pink Salmon .....	\$2.26
Canned Fish—Sardines .....	\$1.59
Canned Fish—Tuna .....	\$1.35
Cereal (per oz.) .....	\$0.34
Cheese, 16 oz. ....	\$7.33
Eggs .....	\$2.45
Infant Cereal—8 oz. ....	\$2.55
Infant Fruits, 100%—4 oz. ....	\$1.00
Infant Vegetables, 100%—4 oz. ....	\$1.00
Infant Meats, 100%—2.5 oz. ....	\$1.12
Juice—11.5/12 oz. ....	\$2.71
Juice—48 oz. ....	\$3.39
Juice—64 oz. ....	\$4.28
Kosher Cheese—16 oz. ....	\$8.40
Kosher Lowfat and 2% Milk—quart .....	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon .....	\$3.27
Kosher Whole Milk—quart .....	\$1.80
Kosher Whole Milk—1/2 gallon .....	\$3.37
Milk, Dry—9.6 oz. ....	\$4.46
Milk, Dry—25.6 oz. ....	\$9.65
Milk, Evaporated—12 oz. ....	\$1.63
Milk, Lowfat and 2%—quart .....	\$1.42
Milk, Lowfat and 2%—1/2 gallon .....	\$2.32
Milk, Lowfat and 2% Lactose Free—quart .....	\$2.42
Milk, Lowfat and 2% Lactose Free—1/2 gallon ...	\$4.19
Milk, Whole—quart .....	\$1.50
Milk, Whole—1/2 gallon .....	\$2.49
Milk, Whole Lactose Free—quart .....	\$2.56
Milk, Whole Lactose Free—1/2 gallon .....	\$4.19
Peanut Butter—16—18 oz. ....	\$3.49
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.35
Soy Beverage—8th Continent 64 oz. ....	\$3.69
Tofu—16 oz. ....	\$2.62
Whole Grain—Bread, 16 oz. ....	\$3.55
Whole Grain—Bread, 24 oz. ....	\$4.00
Whole Grain—Brown Rice, 16 oz. ....	\$1.95
Whole Grain—Brown Rice, 24 oz. ....	\$3.39
Whole Grain—Oats, 16 oz. ....	\$2.55
Whole Grain—Oats, 24 oz. ....	\$5.89
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.59
Whole Wheat Pasta .....	\$1.64
Yogurt Nonfat .....	\$3.15
Yogurt Lowfat .....	\$3.15
Yogurt Wholefat .....	\$3.15
Boost RTF Formula—8 oz. ....	\$1.85
EnfaCare RTF Formula—32 oz. ....	\$7.44
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$17.64
Nutramigen Concentrate Formula—13 oz. ....	\$7.55
Nutramigen RTF Formula—32 oz. ....	\$10.09
Nutramigen w/Enflora Powder Formula— 12.6 oz. ....	\$26.35
Pediasure RTF Formula—8 oz. ....	\$1.99
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.05
Pediasure Sidekicks RTF Formula—8 oz. ....	\$1.94
Similac Advance Concentrate—Blue Formula— 13 oz. ....	\$5.20
Similac Advance RTF—Blue Formula—32 oz. ...	\$7.75
Similac Advance Powder—Blue Formula— 12.4 oz. ....	\$16.18
Similac Expert Care Alimentum RTF Formula—32 oz. ....	\$10.39
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz. ....	\$28.79



<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Expert Care for Diarrhea RTF Formula—32 oz. ....	\$7.99
Similac Expert Care NeoSure RTF Formula—32 oz. ....	\$8.67
Similac Expert Care NeoSure Powder Formula—13.1 oz. ....	\$18.09
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs. ....	\$22.55
Similac for Spit Up RTF Formula—Green—32 oz. ....	\$8.05
Similac for Spit Up Powder Formula—Green—12.0 oz. ....	\$16.89
Similac Sensitive RTF Formula—Orange—32 oz. ....	\$7.70
Similac Sensitive Powder Formula—Orange—12.0 oz. ....	\$16.39
Similac Soy Isomil Concentrate—Pink Formula—13 oz. ....	\$5.69
Similac Soy Isomil RTF—Pink Formula—32 oz. .	\$7.89
Similac Soy Isomil Powder—Pink Formula—12.4 oz. ....	\$16.89
Similac Total Comfort Powder Formula—Purple—12.0 oz. ....	\$16.69

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2018, through March 31, 2018, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.20
Beans/Peas—Dry—16 oz. ....	\$2.10
Canned Fish—Pink Salmon ....	\$2.25
Canned Fish—Sardines ....	\$1.49
Canned Fish—Tuna ....	\$1.27
Cereal (per oz.) ....	\$0.32
Cheese, 16 oz. ....	\$6.86
Eggs ....	\$2.39
Infant Cereal—8 oz. ....	\$2.40
Infant Fruits, 100%—4 oz. ....	\$0.89
Infant Vegetables, 100%—4 oz. ....	\$0.89
Infant Meats, 100%—2.5 oz. ....	\$1.10
Juice—11.5/12 oz. ....	\$2.52
Juice—48 oz. ....	\$3.17
Juice—64 oz. ....	\$3.85
Kosher Cheese—16 oz. ....	\$7.89
Kosher Lowfat Milk—1/2 gallon ....	\$3.19
Kosher Whole Milk—1/2 gallon ....	\$3.25
Milk, Lowfat—1/2 gallon ....	\$2.19
Milk, Whole—1/2 gallon ....	\$2.25
Peanut Butter—16—18 oz. ....	\$3.30
Whole Grain—Bread, 16 oz. ....	\$3.39
Whole Grain—Brown Rice, 16 oz. ....	\$1.79
Whole Grain—Oats, 16 oz. ....	\$2.49

<i>Description</i>	<i>Competitive Prices</i>
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.45
Whole Wheat Pasta ....	\$1.60
Similac Advance Concentrate Formula—Blue—13 oz. ....	\$5.20
Similac Advance Powder Formula—Blue—12.4 oz. ....	\$16.18
Similac Soy Isomil Concentrate Formula—Pink—13 oz. ....	\$5.69
Similac Soy Isomil Powder Formula—Pink—12.4 oz. ....	\$16.89

**Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2018, through March 31, 2018, the Maximum Allowable Prices the Department of Health will pay Type 3 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.37
Beans/Peas—Dry—16 oz. ....	\$2.35
Canned Fish—Pink Salmon ....	\$2.30
Canned Fish—Sardines ....	\$1.65
Canned Fish—Tuna ....	\$1.40
Cereal (per oz.) ....	\$0.36
Cheese, 16 oz. ....	\$7.35
Eggs ....	\$3.05
Infant Cereal—8 oz. ....	\$2.60
Infant Fruits, 100%—4 oz. ....	\$1.05
Infant Vegetables, 100%—4 oz. ....	\$1.05
Infant Meats, 100%—2.5 oz. ....	\$1.17
Juice—11.5/12 oz. ....	\$2.76
Juice—48 oz. ....	\$3.50
Juice—64 oz. ....	\$4.37
Kosher Cheese—16 oz. ....	\$8.40
Kosher Lowfat and 2% Milk—quart ....	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon ....	\$3.30
Kosher Whole Milk—quart ....	\$1.80
Kosher Whole Milk—1/2 gallon ....	\$3.37
Milk, Dry—9.6 oz. ....	\$4.55
Milk, Dry—25.6 oz. ....	\$9.75
Milk, Evaporated—12 oz. ....	\$1.70
Milk, Lowfat and 2%—quart ....	\$1.47
Milk, Lowfat and 2% 1/2 gallon ....	\$2.62
Milk, Lowfat and 2% Lactose Free—quart ....	\$2.49
Milk, Lowfat and 2% Lactose Free—1/2 gallon ...	\$4.29
Milk, Whole—quart ....	\$1.57
Milk, Whole—1/2 gallon ....	\$2.69
Milk, Whole Lactose Free—quart ....	\$2.66
Milk, Whole Lactose Free—1/2 gallon ....	\$4.29
Peanut Butter—16—18 oz. ....	\$3.59
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.45
Soy Beverage—8th Continent 64 oz. ....	\$3.86
Tofu—16 oz. ....	\$2.72
Whole Grain—Bread, 16 oz. ....	\$3.63
Whole Grain—Bread, 24 oz. ....	\$4.07
Whole Grain—Brown Rice, 16 oz. ....	\$2.09
Whole Grain—Brown Rice, 24 oz. ....	\$3.59

<i>Description</i>	<i>Maximum Allowable Price</i>	<i>Description</i>	<i>Competitive Price</i>
Whole Grain—Oats, 16 oz. ....	\$2.70	Beans, Canned—15.5/16 oz. ....	\$1.29
Whole Grain—Oats, 24 oz. ....	\$6.11	Beans/Peas—Dry—16 oz. ....	\$2.12
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.64	Canned Fish—Pink Salmon ....	\$2.29
Whole Wheat Pasta ....	\$2.17	Canned Fish—Sardines ....	\$1.54
Yogurt Nonfat ....	\$3.20	Canned Fish—Tuna ....	\$1.30
Yogurt Lowfat ....	\$3.20	Cereal (per oz.) ....	\$0.34
Yogurt Wholefat ....	\$3.20	Cheese, 16 oz. ....	\$6.88
Boost RTF Formula—8 oz. ....	\$1.89	Eggs ....	\$2.99
EnfaCare RTF Formula—32 oz. ....	\$7.74	Infant Cereal—8 oz. ....	\$2.45
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$18.41	Infant Fruits, 100%—4 oz. ....	\$0.92
Nutramigen Concentrate Formula—13 oz. ....	\$7.59	Infant Vegetables, 100%—4 oz. ....	\$0.92
Nutramigen RTF Formula—32 oz. ....	\$10.19	Infant Meats, 100%—2.5 oz. ....	\$1.15
Nutramigen w/Enflora Powder Formula— 12.6 oz. ....	\$26.45	Juice—11.5/12 oz. ....	\$2.57
Pediasure RTF Formula—8 oz. ....	\$2.30	Juice—48 oz. ....	\$3.39
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.30	Juice—64 oz. ....	\$4.00
Pediasure Sidekicks RTF Formula—8 oz. ....	\$2.06	Kosher Cheese—16 oz. ....	\$8.30
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.35	Kosher Lowfat Milk—1/2 gallon ....	\$3.29
Similac Advance RTF Formula—Blue—32 oz. ....	\$7.85	Kosher Whole Milk—1/2 gallon ....	\$3.35
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$16.97	Milk, Lowfat—1/2 gallon ....	\$2.49
Similac Expert Care Alimentum RTF Formula— 32 oz. ....	\$10.59	Milk, Whole—1/2 gallon ....	\$2.52
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz. ....	\$29.19	Peanut Butter—16—18 oz. ....	\$3.40
Similac Expert Care for Diarrhea RTF Formula—32 oz. ....	\$8.19	Whole Grain—Bread, 16 oz. ....	\$3.45
Similac Expert Care NeoSure RTF Formula— 32 oz. ....	\$8.84	Whole Grain—Brown Rice, 16 oz. ....	\$2.05
Similac Expert Care NeoSure Powder Formula— 13.1 oz. ....	\$18.29	Whole Grain—Oats, 16 oz. ....	\$2.65
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs. ....	\$23.29	Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.58
Similac for Spit Up RTF Formula—Green— 32 oz. ....	\$8.19	Whole Wheat Pasta ....	\$2.10
Similac for Spit Up Powder Formula— Green—12.0 oz. ....	\$17.29	Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.35
Similac Sensitive RTF Formula—Orange— 32 oz. ....	\$8.19	Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$16.97
Similac Sensitive Powder Formula—Orange— 12.0 oz. ....	\$16.59	Similac Soy Isomil Concentrate Formula—Pink— 13 oz. ....	\$5.79
Similac Soy Isomil Concentrate Formula— Pink—13 oz. ....	\$5.79	Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$17.09
Similac Soy Isomil RTF Formula—Pink—32 oz. ....	\$8.09		
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$17.09		
Similac Total Comfort Powder Formula— Purple—12.0 oz. ....	\$17.19		

**Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2018, through March 31, 2018, the Maximum Allowable Prices the Department of Health will pay Type 1 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.28
Beans/Peas—Dry—16 oz. ....	\$2.20
Canned Fish—Pink Salmon ....	\$2.27
Canned Fish—Sardines ....	\$1.60
Canned Fish—Tuna ....	\$1.35
Cereal (per oz.) ....	\$0.34
Cheese, 16 oz. ....	\$7.45
Eggs ....	\$2.45
Infant Cereal—8 oz. ....	\$2.52
Infant Fruits, 100%—4 oz. ....	\$0.99
Infant Vegetables, 100%—4 oz. ....	\$0.99
Infant Meats, 100%—2.5 oz. ....	\$1.10
Juice—11.5/12 oz. ....	\$2.65
Juice—48 oz. ....	\$3.34
Juice—64 oz. ....	\$4.05

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

**Competitive Prices**

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2018, through March 31, 2018, the Competitive Prices for WIC authorization for Type 3 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>	<i>Description</i>	<i>Maximum Allowable Price</i>
Kosher Cheese—16 oz. ....	\$8.40	Similac Soy Isomil Concentrate Formula— Pink—13 oz. ....	\$5.61
Kosher Lowfat and 2% Milk—quart ....	\$1.69	Similac Soy Isomil RTF Formula—Pink—32 oz. . .	\$7.89
Kosher Lowfat and 2% Milk—1/2 gallon ....	\$3.27	Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$17.05
Kosher Whole Milk—quart ....	\$1.80	Similac Total Comfort Powder Formula—Purple— 12.0 oz. ....	\$17.09
Kosher Whole Milk—1/2 gallon ....	\$3.37		
Milk, Dry—9.6 oz. ....	\$4.43		
Milk, Dry—25.6 oz. ....	\$9.65		
Milk, Evaporated—12 oz. ....	\$1.59		
Milk, Lowfat and 2%—quart ....	\$1.40		
Milk, Lowfat and 2%—1/2 gallon ....	\$2.32		
Milk, Lowfat and 2% Lactose Free—quart ....	\$2.42		
Milk, Lowfat and 2% Lactose Free—1/2 gallon ...	\$4.09		
Milk, Whole—quart ....	\$1.52		
Milk, Whole—1/2 gallon ....	\$2.49		
Milk, Whole Lactose Free—quart ....	\$2.55		
Milk, Whole Lactose Free—1/2 gallon ....	\$4.09		
Peanut Butter—16—18 oz. ....	\$3.40		
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.35		
Soy Beverage—8th Continent 64 oz. ....	\$3.65		
Tofu—16 oz. ....	\$2.61		
Whole Grain—Bread, 16 oz. ....	\$3.55		
Whole Grain—Bread, 24 oz. ....	\$3.99		
Whole Grain—Brown Rice, 16 oz. ....	\$1.95		
Whole Grain—Brown Rice, 24 oz. ....	\$3.39		
Whole Grain—Oats, 16 oz. ....	\$2.52		
Whole Grain—Oats, 24 oz. ....	\$5.49		
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.59		
Whole Wheat Pasta ....	\$1.47		
Yogurt Nonfat ....	\$3.15		
Yogurt Lowfat ....	\$3.15		
Yogurt Wholefat ....	\$3.15		
Boost RTF Formula—8 oz. ....	\$1.85		
EnfaCare RTF Formula—32 oz. ....	\$7.40		
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$17.84		
Nutramigen Concentrate Formula—13 oz. ....	\$7.53		
Nutramigen RTF Formula—32 oz. ....	\$10.05		
Nutramigen w/Enflora Powder Formula— 12.6 oz. ....	\$26.60		
Pediasure RTF Formula—8 oz. ....	\$2.04		
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.05		
Pediasure Sidekicks RTF Formula—8 oz. ....	\$1.89		
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.20		
Similac Advance RTF Formula—Blue—32 oz. ....	\$7.69		
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$16.39		
Similac Expert Care Alimentum RTF Formula— 32 oz. ....	\$10.39		
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz. ....	\$28.79		
Similac Expert Care for Diarrhea RTF Formula— 32 oz. ....	\$7.99		
Similac Expert Care NeoSure RTF Formula— 32 oz. ....	\$8.69		
Similac Expert Care NeoSure Powder Formula— 13.1 oz. ....	\$18.19		
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs. ....	\$23.17		
Similac for Spit Up RTF Formula—Green— 32 oz. ....	\$7.99		
Similac for Spit Up Powder Formula—Green— 12.0 oz. ....	\$17.09		
Similac Sensitive RTF Formula—Orange—32 oz. ....	\$7.79		
Similac Sensitive Powder Formula—Orange— 12.0 oz. ....	\$16.49		

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

#### Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2018, through March 31, 2018, the Competitive Prices for WIC authorization for Type 1 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.20
Beans/Peas—Dry—16 oz. ....	\$2.10
Canned Fish—Pink Salmon ....	\$2.25
Canned Fish—Sardines ....	\$1.48
Canned Fish—Tuna ....	\$1.30
Cereal (per oz.) ....	\$0.32
Cheese, 16 oz. ....	\$6.91
Eggs ....	\$2.39
Infant Cereal—8 oz. ....	\$2.39
Infant Fruits, 100%—4 oz. ....	\$0.88
Infant Vegetables, 100%—4 oz. ....	\$0.88
Infant Meats, 100%—2.5 oz. ....	\$1.09
Juice—11.5/12 oz. ....	\$2.45
Juice—48 oz. ....	\$3.16
Juice—64 oz. ....	\$3.66
Kosher Cheese—16 oz. ....	\$7.89
Kosher Lowfat Milk—1/2 gallon ....	\$3.19
Kosher Whole Milk—1/2 gallon ....	\$3.25
Milk, Lowfat—1/2 gallon ....	\$2.29
Milk, Whole—1/2 gallon ....	\$2.35
Peanut Butter—16—18 oz. ....	\$3.29
Whole Grain—Bread, 16 oz. ....	\$3.39
Whole Grain—Brown Rice, 16 oz. ....	\$1.79
Whole Grain—Oats, 16 oz. ....	\$2.45
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.50
Whole Wheat Pasta ....	\$1.40
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.20
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$16.39
Similac Soy Isomil Concentrate Formula—Pink— 13 oz. ....	\$5.61
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$17.05

#### Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

Maximum Allowable Prices

Effective January 1, 2018, through March 31, 2018, the Maximum Allowable Prices the Department of Health will pay Type 2 Stores in High Cost Counties for WIC allowable foods are as follows:

Description	Maximum Allowable Price
Beans, Canned—15.5/16 oz.	\$1.35
Beans/Peas—Dry—16 oz.	\$2.30
Canned Fish—Pink Salmon	\$2.30
Canned Fish—Sardines	\$1.72
Canned Fish—Tuna	\$1.40
Cereal (per oz.)	\$0.36
Cheese, 16 oz.	\$7.55
Eggs	\$2.65
Infant Cereal—8 oz.	\$2.66
Infant Fruits, 100%—4 oz.	\$1.01
Infant Vegetables, 100%—4 oz.	\$1.01
Infant Meats, 100%—2.5 oz.	\$1.17
Juice—11.5/12 oz.	\$2.76
Juice—48 oz.	\$3.53
Juice—64 oz.	\$4.34
Kosher Cheese—16 oz.	\$8.40
Kosher Lowfat and 2% Milk—quart	\$1.69
Kosher Lowfat and 2% Milk—1/2 gallon	\$3.27
Kosher Whole Milk—quart	\$1.80
Kosher Whole Milk—1/2 gallon	\$3.37
Milk, Dry—9.6 oz.	\$4.50
Milk, Dry—25.6 oz.	\$9.75
Milk, Evaporated—12 oz.	\$1.65
Milk, Lowfat and 2%—quart	\$1.44
Milk, Lowfat and 2%—1/2 gallon	\$2.42
Milk, Lowfat and 2% Lactose Free—quart	\$2.50
Milk, Lowfat and 2% Lactose Free—1/2 gallon	\$4.25
Milk, Whole—quart	\$1.57
Milk, Whole—1/2 gallon	\$2.59
Milk, Whole Lactose Free—quart	\$2.60
Milk, Whole Lactose Free—1/2 gallon	\$4.25
Peanut Butter—16—18 oz.	\$3.56
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.40
Soy Beverage—8th Continent 64 oz.	\$3.85
Tofu—16 oz.	\$2.68
Whole Grain—Bread, 16 oz.	\$3.59
Whole Grain—Bread, 24 oz.	\$4.05
Whole Grain—Brown Rice, 16 oz.	\$1.99
Whole Grain—Brown Rice, 24 oz.	\$3.69
Whole Grain—Oats, 16 oz.	\$2.88
Whole Grain—Oats, 24 oz.	\$5.99
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.64
Whole Wheat Pasta	\$1.74
Yogurt Nonfat	\$3.20
Yogurt Lowfat	\$3.20
Yogurt Wholefat	\$3.20
Boost RTF Formula—8 oz.	\$1.91
EnfaCare RTF Formula—32 oz.	\$7.74
EnfaCare w/Iron Powder Formula—12.8 oz.	\$17.98
Nutramigen Concentrate Formula—13 oz.	\$7.59
Nutramigen RTF Formula—32 oz.	\$10.15
Nutramigen w/Enflora Powder Formula—12.6 oz.	\$27.00
Pediasure RTF Formula—8 oz.	\$2.06
Pediasure w/Fiber RTF Formula—8 oz.	\$2.09
Pediasure Sidekicks RTF Formula—8 oz.	\$1.97
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.45
Similac Advance RTF Formula—Blue—32 oz.	\$7.79

Description

Description	Maximum Allowable Price
Similac Advance Powder Formula—Blue—12.4 oz.	\$16.49
Similac Expert Care Alimentum RTF Formula—32 oz.	\$10.49
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$29.29
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$8.39
Similac Expert Care NeoSure RTF Formula—32 oz.	\$8.74
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$18.29
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$23.40
Similac for Spit Up RTF Formula—Green—32 oz.	\$8.09
Similac for Spit Up Powder Formula—Green—12.0 oz.	\$17.29
Similac Sensitive RTF Formula—Orange—32 oz.	\$7.89
Similac Sensitive Powder Formula—Orange—12.0 oz.	\$16.59
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.79
Similac Soy Isomil RTF Formula—Pink—32 oz.	\$7.99
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$17.20
Similac Total Comfort Powder Formula—Purple—12.0 oz.	\$17.29

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2018, through March 31, 2018, the Competitive Prices for WIC Authorization for Type 2 Stores in High Cost Counties are as follows:

Description	Competitive Prices
Beans, Canned—15.5/16 oz.	\$1.23
Beans/Peas—Dry—16 oz.	\$2.13
Canned Fish—Pink Salmon	\$2.29
Canned Fish—Sardines	\$1.62
Canned Fish—Tuna	\$1.32
Cereal (per oz.)	\$0.34
Cheese, 16 oz.	\$7.00
Eggs	\$2.49
Infant Cereal—8 oz.	\$2.52
Infant Fruits, 100%—4 oz.	\$0.90
Infant Vegetables, 100%—4 oz.	\$0.90
Infant Meats, 100%—2.5 oz.	\$1.15
Juice—11.5/12 oz.	\$2.60
Juice—48 oz.	\$3.26
Juice—64 oz.	\$3.90
Kosher Cheese—16 oz.	\$8.00
Kosher Lowfat Milk—1/2 gallon	\$3.25
Kosher Whole Milk—1/2 gallon	\$3.35
Milk, Lowfat—1/2 gallon	\$2.35

Description	Competitive Prices
Milk, Whole—1/2 gallon	\$2.39
Peanut Butter—16—18 oz.	\$3.39
Whole Grain—Bread, 16 oz.	\$3.49
Whole Grain—Brown Rice, 16 oz.	\$1.90
Whole Grain—Oats, 16 oz.	\$2.65
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.55
Whole Wheat Pasta	\$1.70
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.45
Similac Advance Powder Formula—Blue—12.4 oz.	\$16.49
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$5.79
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$17.20

**Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2018, through March 31, 2018, the Maximum Allowable Prices the Department of Health will pay Type 3 Stores in High Cost Counties for WIC allowable foods are as follows:

Description	Maximum Allowable Price
Beans, Canned—15.5/16 oz.	\$1.44
Beans/Peas—Dry—16 oz.	\$2.40
Canned Fish—Pink Salmon	\$2.49
Canned Fish—Sardines	\$1.75
Canned Fish—Tuna	\$1.50
Cereal (per oz.)	\$0.37
Cheese, 16 oz.	\$7.70
Eggs	\$3.15
Infant Cereal—8 oz.	\$3.00
Infant Fruits, 100%—4 oz.	\$1.18
Infant Vegetables, 100%—4 oz.	\$1.18
Infant Meats, 100%—2.5 oz.	\$1.27
Juice—11.5/12 oz.	\$2.83
Juice—48 oz.	\$3.66
Juice—64 oz.	\$4.43
Kosher Cheese—16 oz.	\$8.40
Kosher Lowfat and 2% Milk—quart	\$1.87
Kosher Lowfat and 2% Milk—1/2 gallon	\$3.37
Kosher Whole Milk—quart	\$1.80
Kosher Whole Milk—1/2 gallon	\$3.40
Milk, Dry—9.6 oz.	\$4.60
Milk, Dry—25.6 oz.	\$9.85
Milk, Evaporated—12 oz.	\$1.72
Milk, Lowfat and 2%—quart	\$1.59
Milk, Lowfat and 2%—1/2 gallon	\$2.72
Milk, Lowfat and 2% Lactose Free—quart	\$2.53
Milk, Lowfat and 2% Lactose Free—1/2 gallon	\$4.35
Milk, Whole—quart	\$1.74
Milk, Whole—1/2 gallon	\$2.79
Milk, Whole Lactose Free—quart	\$2.69
Milk, Whole Lactose Free—1/2 gallon	\$4.35
Peanut Butter—16—18 oz.	\$3.68
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.50
Soy Beverage—8th Continent 64 oz.	\$4.00

Description	Maximum Allowable Price
Tofu—16 oz.	\$2.75
Whole Grain—Bread, 16 oz.	\$3.65
Whole Grain—Bread, 24 oz.	\$4.10
Whole Grain—Brown Rice, 16 oz.	\$2.45
Whole Grain—Brown Rice, 24 oz.	\$3.79
Whole Grain—Oats, 16 oz.	\$3.00
Whole Grain—Oats, 24 oz.	\$6.11
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.70
Whole Wheat Pasta	\$2.77
Yogurt Nonfat	\$3.25
Yogurt Lowfat	\$3.25
Yogurt Wholefat	\$3.25
Boost RTF Formula—8 oz.	\$2.04
EnfaCare RTF Formula—32 oz.	\$8.04
EnfaCare w/Iron Powder Formula—12.8 oz.	\$18.41
Nutramigen Concentrate Formula—13 oz.	\$8.09
Nutramigen RTF Formula—32 oz.	\$10.25
Nutramigen w/Enflora Powder Formula—12.6 oz.	\$27.30
Pediasure RTF Formula—8 oz.	\$2.35
Pediasure w/Fiber RTF Formula—8 oz.	\$2.35
Pediasure Sidekicks RTF Formula—8 oz.	\$2.35
Similac Advance Concentrate Formula—Blue—13 oz.	\$5.78
Similac Advance RTF Formula—Blue—32 oz.	\$7.99
Similac Advance Powder Formula—Blue—12.4 oz.	\$17.99
Similac Expert Care Alimentum RTF Formula—32 oz.	\$10.69
Similac Expert Care Alimentum Powder Formula—16 or 12.1 oz.	\$30.19
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$8.69
Similac Expert Care NeoSure RTF Formula—32 oz.	\$8.94
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$18.39
Similac Go and Grow Powder Milk Based Formula—Blue—1.5 lbs.	\$23.45
Similac for Spit Up RTF Formula—Green—32 oz.	\$8.49
Similac for Spit Up Powder Formula—Green—12.0 oz.	\$18.29
Similac Sensitive RTF Formula—Orange—32 oz.	\$8.29
Similac Sensitive Powder Formula—Orange—12.0 oz.	\$17.59
Similac Soy Isomil Concentrate Formula—Pink—13 oz.	\$6.25
Similac Soy Isomil RTF Formula—Pink—32 oz.	\$8.14
Similac Soy Isomil Powder Formula—Pink—12.4 oz.	\$18.19
Similac Total Comfort Powder Formula—Purple—12.0 oz.	\$17.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's

peer group. Effective January 1, 2018, through March 31, 2018, the Competitive Prices for WIC Authorization for Type 3 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.40
Beans/Peas—Dry—16 oz. ....	\$2.15
Canned Fish—Pink Salmon ....	\$2.48
Canned Fish—Sardines ....	\$1.68
Canned Fish—Tuna ....	\$1.48
Cereal (per oz.) ....	\$0.35
Cheese, 16 oz. ....	\$7.20
Eggs ....	\$3.09
Infant Cereal—8 oz. ....	\$2.86
Infant Fruits, 100%—4 oz. ....	\$1.05
Infant Vegetables, 100%—4 oz. ....	\$1.05
Infant Meats, 100%—2.5 oz. ....	\$1.25
Juice—11.5/12 oz. ....	\$2.70
Juice—48 oz. ....	\$3.47
Juice—64 oz. ....	\$4.20
Kosher Cheese—16 oz. ....	\$8.40
Kosher Lowfat Milk—1/2 gallon ....	\$3.35
Kosher Whole Milk—1/2 gallon ....	\$3.39
Milk, Lowfat—1/2 gallon ....	\$2.58
Milk, Whole—1/2 gallon ....	\$2.70
Peanut Butter—16—18 oz. ....	\$3.59
Whole Grain—Bread, 16 oz. ....	\$3.55
Whole Grain—Brown Rice, 16 oz. ....	\$2.40
Whole Grain—Oats, 16 oz. ....	\$2.99
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.60
Whole Wheat Pasta ....	\$2.70
Similac Advance Concentrate Formula—Blue— 13 oz. ....	\$5.78
Similac Advance Powder Formula—Blue— 12.4 oz. ....	\$17.99
Similac Soy Isomil Concentrate Formula—Pink— 13 oz. ....	\$6.25
Similac Soy Isomil Powder Formula—Pink— 12.4 oz. ....	\$18.19

Persons with a disability who require an alternative format of this listing (for example, large print, audiotope, Braille) should contact Perce Morgan, Department of Health, Bureau of WIC, 625 Forster Street, 7th Floor West, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-1289, or for speech and/or hearing-impaired persons, call the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

RACHEL L. LEVINE, MD,  
*Acting Secretary*

[Pa.B. Doc. No. 17-2187. Filed for public inspection December 29, 2017, 9:00 a.m.]

## DEPARTMENT OF HUMAN SERVICES

### Managed Care Assessment Program

The Department of Human Services (Department) is providing final notice of an adjustment to the managed care assessment fixed fee effective January 1, 2018. The Department published notice of its intent to adjust the managed care assessment fixed fee to \$19.87 per member per month effective that date, at 47 Pa.B. 5112 (August

26, 2017). The Department received no comments during the 30-day comment period and will implement the change as described in the notice of intent.

#### *Fiscal Impact*

The Department estimates the annual aggregate fiscal impact of this change in Fiscal Year 2017-2018 will be an additional \$167.737 million in assessment revenue.

TERESA D. MILLER,  
*Acting Secretary*

#### **Fiscal Note:** 14-NOT-1194. (1) General Fund;

(7) Medical Assistance—Capitation; (2) Implementing Year 2017-18 is -\$1,207,000,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$3,657,000,000; 2015-16 Program—\$3,829,000,000; 2014-15 Program—\$3,823,000,000;

(7) Long-Term Care; (2) Implementing Year 2017-18 is -\$4,472,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$1,083,000,000; 2015-16 Program—\$968,083,000; 2014-15 Program—\$810,545,000;

(7) CHIP; (2) Implementing Year 2017-18 is -\$3,925,000; (3) 1st Succeeding Year 2018-19 through 5th Succeeding Year 2022-23 are \$0; (4) 2016-17 Program—\$9,453,000; 2015-16 Program—\$13,553,000; 2014-15 Program—\$76,094,000;

(8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 17-2188. Filed for public inspection December 29, 2017, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Maximum Pennsylvania Workers' Compensation Payable

Based upon the Statewide Average Weekly Wage, as determined by the Department of Labor and Industry for the fiscal year ending June 30, 2017, the maximum compensation payable under sections 105.1 and 105.2 of the Workers' Compensation Act (77 P.S. §§ 25.1 and 25.2) shall be \$1,025 per week for injuries occurring on and after January 1, 2018. For purposes of calculating the update to payments for medical treatment rendered on and after January 1, 2018, the percentage increase in the Statewide Average Weekly Wage is 3.0%.

W. GERALD OLEKSIK,  
*Acting Secretary*

[Pa.B. Doc. No. 17-2189. Filed for public inspection December 29, 2017, 9:00 a.m.]

### Unemployment Compensation; Table Specified for the Determination of Rate and Amount of Benefits

The purpose of this notice is to announce the Table Specified for the Determination of Rate and Amount of Benefits (Table) and the maximum weekly benefit rate for 2018.

The Table, in section 404(e)(1) of the Unemployment Compensation Law (law) (43 P.S. § 804(e)(1)), was amended by the act of November 3, 2016 (P.L. 1100, No. 144) (Act 144). Under sections 14 and 15 of Act 144, the amended Table was effective November 3, 2016, and applies to benefit years that begin after December 31, 2016.

As enacted, the amended Table establishes a maximum weekly benefit rate of \$561. Section 404(e)(2) of the law provides that the Table shall be extended or contracted annually to the point where the maximum weekly benefit rate for a calendar year equals 66 2/3% of the average weekly wage for the 36-month period ending on the previous June 30. However, section 404(e)(2)(iii) of the law, as amended by Act 144, contains limitations on the growth of the maximum weekly benefit rate. Section 404(e)(2)(iii) provides that the maximum weekly benefit rate for 2017 through 2019 may not exceed \$561. Therefore, the Department of Labor and Industry is not extending the Table for 2018, and the maximum weekly benefit rate will remain at \$561.

The Table, as amended by Act 144, was published at 47 Pa.B. 362 (January 21, 2017) and is codified in 34 Pa. Code Chapter 65, Appendix A (relating to table specified for the determination of rate and amount of benefits). Under section 201(a) of the law (43 P.S. § 761(a)), section 404(e)(2) of the law and 34 Pa. Code § 65.111 (relating to benefit table), the Table in 34 Pa. Code Chapter 65, Appendix A is being adopted by this notice for 2018.

Questions concerning this notice should be directed to Robert V. O'Brien, Executive Deputy Secretary, Department of Labor and Industry, Labor and Industry Building, 651 Boas Street, Harrisburg, PA 17121.

W. GERARD OLEKSIK,  
*Acting Secretary*

[Pa.B. Doc. No. 17-2190. Filed for public inspection December 29, 2017, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

The Department of Transportation (Department), Bureau of Motor Vehicles (Bureau), under 75 Pa.C.S. § 3368 (relating to speed timing devices), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following: electronic speed-timing devices (radar); electronic speed-timing devices (nonradar), which measure elapsed time between measured road surface points by using two sensors; and electronic speed-timing devices (nonradar), which calculate average speed between any two points.

Under 75 Pa.C.S. § 3368(c)(2), the Department has approved, for use only by members of the State Police, the following electronic speed-timing devices (radar) when used in the stationary mode only:

(1) BEE III, Directional. Manufactured by MPH Industries, 316 East 9th Street, Owensboro, KY 42303.

(2) Falcon Radar (identified on the radar housing as FALCON). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(3) Falcon HR—Hand-held model. Manufactured by Kustom Signals, Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

(4) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(5) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, KS 66214.

(6) KR-10SP, Stationary Radar (identified on the radar housing as KR-10SP). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(7) KR-10SP, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, KS 66214.

(8) Pro 1000(DS). Manufactured by Kustom Signals, Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

(9) Genesis-I. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(10) Genesis-II Select. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(11) Genesis GHS Hand-held model. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(12) Genesis GHD Hand-held model. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(13) Genesis GVP-D battery operated Hand-held model. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(14) Ranger EZ, Directional. Manufactured by MPH Industries, 316 East 9th Street, Owensboro, KY 42303.

(15) Raptor RP-1. Manufactured by Kustom Signals Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

(16) Scout Handheld. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(17) Speed-Gun Pro, Hand-held model. Manufactured by MPH Industries, 316 East 9th Street, Owensboro, KY 42303.

(18) Stalker Dual. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(19) Stalker Dual SL. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(20) Stalker Dual DSR. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(21) Stalker Basic. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(22) Eagle Plus. Manufactured by Kustom Signals, Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing devices (nonradar) which measure elapsed time between measured road surface points by using two sensors:

(1) Electrical Speed Timing System. Manufactured by Richard Hageman, 98 South Penn Dixie Road, Nazareth, PA 18064.

(2) Model TK 100, Excessive Speed Preventor. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, RD 2, Hallstead, PA 18822.

(3) Model TK 100, Excessive Speed Preventor. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, PA 17756.

(4) Speed Chek (identified on the housing as Speed Chek model one, Mfd. for: The Union Agency, Unionville, PA 19375). Manufactured by Sterner Lighting Systems, Incorporated, 351 Lewis Avenue, Winsted, MN 55395.

(5) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, RD 2, Hallstead, PA 18822.

(6) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, PA 17756.

(7) Enradd, Model EJU-91. Manufactured by YIS Incorporated, 2603 Reach Road Rear, Williamsport, PA 17701.

(8) Enradd, Model EJU-91 with Non-Contact Road Switch System. Manufactured by YIS Incorporated, 2603 Reach Road Rear, Williamsport, PA 17701.

(9) Enradd, Model EJU-91 Wireless System. Manufactured by YIS Incorporated, 2603 Reach Road Rear, Williamsport, PA 17701.

Under 75 Pa.C.S. § 3368(c)(1) and (3), the Department has approved the use of electronic and mechanical stopwatches as speed-timing devices for use by any police officer. The Department has approved these speed-timing devices upon submission of a certificate of stopwatch accuracy indicating that a stopwatch has been successfully tested in accordance with the requirements of 67 Pa. Code Chapter 105 (relating to mechanical, electrical and electronic speed-timing devices). The Department issues an approved speed-timing device certificate for the device, as required under 67 Pa. Code § 105.72 (relating to equipment approval procedure). The Department does not publish a listing of these approved speed-timing devices because they are approved individually by serial number and police department. Therefore, if a citation is contested, it is necessary for the police department to show both the certificate of stopwatch accuracy, which was issued within 60 days of the citation, and an approved speed-timing device certificate issued by the Bureau.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing devices (nonradar) which calculate average speed between any two points:

(1) VASCAR-plus. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(2) VASCAR-plus II. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(3) VASCAR-plus III. Manufactured by Traffic Safety Systems a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(4) VASCAR-plus IIIc. Manufactured by Traffic Safety Systems a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(5) V-SPEC. Manufactured by YIS Incorporated, 2603 Reach Road Rear, Williamsport, PA 17701.

(6) Tracker by Patco. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

The Department, under 75 Pa.C.S. § 3368(d), has appointed the following stations for calibrating and testing speed-timing devices until the next comprehensive list is published, subject to interim amendment.

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following official Electronic Device Testing Stations for radar devices, which may only be used by members of the State Police:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969. (Appointed: 12/22/01, Station R8.)

Guth Laboratories, Incorporated, 590 North 67th Street, Harrisburg, Dauphin County, PA 17111-4511 (Appointed: 01/27/97, Station R2.)

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063. (Appointed: 08/15/03, Station R11.)

Simco Electronics, 2125 South West 28th Street, Allentown, Lehigh County, PA 18103. (Appointed: 09/19/96, Station R9.)

Wisco Calibration Services, Inc., 820 Washington Boulevard, Pittsburgh, Allegheny County, PA 15206. (Appointed: 07/14/99, Station R10.)

YIS/Cowden Group, Inc., 2603 Reach Road Rear, Williamsport, Lycoming County, PA 17701. (Appointed: 8/20/04, Station R12.)

The Department has appointed, under 75 Pa.C.S. § 3368(b), the following Official Speedometer Testing Stations:

Briggs-Hagenlocher, 1110 Chestnut Street, Erie, Erie County, PA 16501. (Appointed: 03/25/93, Station S39.) Device—Maxwell Dynamometer.

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 11/25/63, Station S19.) Devices—Mustang Dynamometer, Davidheiser Storage Generator Speedometer Calibrator Mile-O-Meter.

George's Garage, 868 Providence Road, Scranton, Lackawanna County, PA 18508. (Appointed: 04/15/98, Station S8.) Device—Clayton Dynamometer.

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, PA 15317. (Appointed: 01/03/84, Station S7.) Devices—Speed-Master Quartz Speedometer Tester, Stewart Warner Strobetachometer.

Maruti Auto Service Inc, 4030 New Falls Road, Bristol, Bucks County, PA 19007. (Appointed 11/4/2008, Station S11.) Devices—Maha Snap-On Dynamometer.

Powl's Speedometer Service, Incorporated, 2340 Dairy Road, Lancaster, Lancaster County, PA 17601—Also authorized to use mobile units. (Appointed: 06/09/97, Station S82.) Devices—YIS, Inc. Electronic Mile-O-Meter and Speedometer Testing Platform with Indicator.

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 06/29/62, Station S67.) Devices—Clayton Dynamometer, Mustang Dynamometer, Model MD-AWD-3K-ST.



S & D Calibration Services, 1963 Route 837, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/22/83, Station S35.) Devices—Clayton Dynamometer, Mustang Dynamometer, Stewart Warner Strobetachometer, Speed-Master Quartz Speedometer Tester.

YIS/Cowden Group Inc., 2603 Reach Road Rear, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units. (Appointed: 8/20/04, Station S9.) Devices—YIS, Inc. Electronic Mile-O-Meter and Speedometer Testing Platform with Indicator.

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following official Electronic Device Testing Stations for nonradar devices, which measure elapsed time between measured road surface points by using two sensors:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 04/07/93, Station EL3.)

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 02/27/92, Station EL22.)

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/14/02, Station EL1.)

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units. (Appointed: 09/14/82, Station EL11.)

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station EL21.)

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Cannonsburg, Washington County, PA 15317. (Appointed: 07/31/97, Station EL18.)

YIS/Cowden Group, 2603 Reach Road Rear, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units. (Appointed: 02/20/80, Station EL7.)

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Stopwatch Testing Stations:

Cal Tech Labs, 501 Mansfield Avenue, Pittsburgh, Allegheny County, PA 15205. (Appointed: 12/22/07, Station W70.)

Department of General Services, Bureau of Procurement, 2221 Forster Street Harrisburg, Dauphin County, PA 17125. (Appointed: 03/09/79, Station W18.)

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 10/28/77, Station W29.)

Leitzel's Jewelry, 607 East Lincoln Avenue, Myerstown, Lebanon County, PA 17067. (Appointed: 09/01/87, Station W58.)

Pinto Calibration Services, 2868 Cedar Street, Bethel Park, Allegheny County, PA 15102—Also authorized to use mobile units. (Appointed: 10/24/14, Station W5.)

Precision Watch Repair Company, 1015 Chestnut Street, Room 1010, Philadelphia, Philadelphia County, PA 19107. (Appointed: 09/24/80, Station W54.)

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 09/15/86, Station W56.)

R & R Timing, 203 Shuster Hollow Road, Leechburg, Westmoreland County, PA 15656. (Appointed: 6/16/04 Station W10.)

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/14/02, Station W1.)

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units. (Appointed: 10/10/89, Station W61.)

Servinsky Jewelers, 610 Second Street, Cresson, Cambria County, PA 16630. (Appointed: 05/18/78, Station W40.)

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units. (Appointed: 05/07/91, Station W64.)

YIS/Cowden Group, 2603 Reach Road Rear, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units. (Appointed: 08/30/89, Station W60.)

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following official Electronic Device Testing Stations for nonradar devices which calculates average speed between any two points:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 02/11/93, Station EM23.)

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 02/27/92, Station EM22.)

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/14/02, Station EM1.)

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units. (Appointed: 09/14/82, Station EM6.)

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, PA 15317 (Appointed: 08/13/97, Station EM12.)

Pinto Calibration Services, 2868 Cedar Street, Bethel Park, Allegheny County, PA 15102—Also authorized to use mobile units. (Appointed: 10/24/14, Station EM4.)

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units. (Appointed: 05/07/91, Station EM21.)

YIS/Cowden Group, 2603 Reach Road Rear, Williamsport, Lycoming County, PA 17701—Also authorized to use mobile units. (Appointed: 12/20/80, Station EM5.)

Comments, suggestions or questions may be directed to Michael Smith, Manager, Administrative and Technical Support Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, (717) 783-7016.

LESLIE S. RICHARDS,  
*Secretary*

[Pa.B. Doc. No. 17-2191. Filed for public inspection December 29, 2017, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Appeal of A.P. & Sons, Inc. under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 1997-0339 (F); Doc. No. UT17-12-007

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant provisions of law.

A prehearing telephone conference initiated by this office is scheduled for January 31, 2018. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before January 29, 2018. A date for a hearing shall be determined, if necessary, at the prehearing/settlement conference.

Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator at the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102 on or before January 16, 2018. Answer to preliminary motions, protests, petitions to intervene or notices of intervention, if any, shall be filed on or before January 29, 2018.

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 Human Resources at (717) 783-4308.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 17-2192. Filed for public inspection December 29, 2017, 9:00 a.m.]

### Ann E. Kaduck; Order to Show Cause; Doc. No. SC17-11-011

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508, 561—588 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for January 30, 2018, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before January 26, 2018. A date for a hearing shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before January 16, 2018, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to preliminary motions, protests, petitions to intervene or notices of intervention, if any, shall be filed on or before January 26, 2018.

JESSICA K. ALTMAN,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 17-2193. Filed for public inspection December 29, 2017, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### General Rule Transaction

**A-2017-2638132 and A-2017-2638212. Lackawaxen Telecommunications Services, Inc., Lackawaxen Long Distance Company, LTC Communications, Inc. and Laurel Highland Total Communications, Inc.** Joint application of Lackawaxen Telecommunications Services, Inc., Lackawaxen Long Distance Company, LTC Communications, Inc. and Laurel Highland Total Communications, Inc. for approval of a general rule transaction involving a transfer of control of telecommunications public utilities.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before January 16, 2018. 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:* Lackawaxen Telecommunications Services, Inc.; Lackawaxen Long Distance Company; LTC Communications, Inc.; Laurel Highland Total Communications, Inc.

*Through and By Counsel:* Charles E. Thomas, III, Esquire, Charles E. Thomas, Jr., Esquire, Thomas, Niesen and Thomas, LLC, 212 Locust Street, Suite 302, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 17-2194. Filed for public inspection December 29, 2017, 9:00 a.m.]

# PHILADELPHIA REGIONAL PORT AUTHORITY

## Condensed Statement of Revenues, Expenses and Changes in Net Position

June 30, 2017 and 2016

AUDITED

	<i>Year to Date</i> <i>JUNE 30, 2017</i>	<i>Year to Date</i> <i>JUNE 30, 2016</i>
Total Operating Revenues	\$ 13,569,319	\$ 12,241,665
Total Operating Expenses	\$ 37,400,752	\$ 36,780,905
Operating Gain (Loss)	<u>\$ (23,831,433)</u>	<u>\$ (24,539,240)</u>
Net Non-Operating Revenues (Expenses)	\$ (7,038,517)	\$ (8,706,561)
(Loss) Gain Before Capital Grants	<u>\$ (30,869,950)</u>	<u>\$ (33,245,801)</u>
Capital Grants and Appropriations	\$ 59,722,442	\$ 58,015,495
Change in Net Position	<u>\$ 28,852,492</u>	<u>\$ 24,769,694</u>
Net Position, Beginning of Year	\$ 449,875,103	\$ 425,105,409
Net Position, End of Year	<u>\$ 478,727,595</u>	<u>\$ 449,875,103</u>

JEFF THEOBALD,  
*Executive Director*

[Pa.B. Doc. No. 17-2195. Filed for public inspection December 29, 2017, 9:00 a.m.]

## PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimant's request concerning the indicated account.

The hearing will be held before a hearing officer at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

May 15, 2018      Elizabeth J. Lafferty      1 p.m.  
(HOP)

Person with a disability who wish to attend the previously listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lori Koch, Assistant to the Executive Director, at (717) 720-4606 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matter will be in conformance with

1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

GLEN R. GRELL,  
*Executive Director*

[Pa.B. Doc. No. 17-2196. Filed for public inspection December 29, 2017, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Access to Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

This notice is provided to direct the public to the State Conservation Commission's (Commission) Facility Odor Management Program webpage or to the Commission's office to obtain information relating to Odor Management Plans submitted for Commission action under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

The Commission's Odor Management Program Public Noticing webpage, accessed through the Commission's general web site at <http://www.pda.state.pa.us/scc> (select "Plants, Land & Water," then "State Conservation Commission," then "Odor Management Program," then "Odor Management plans currently under review by the State Conservation Commission"), provides the public with the

name, address, animal equivalent units, animal type, Odor Site Index score and submission type for the various Odor Management Plans (OMP) under review by the Commission. This listing of plans under review can also be accessed by contacting the Commission's office in Harrisburg at (717) 787-8821. The Commission will not take an action on a submitted OMP until it has been noticed on this list for a minimum of 21 days.

All Commission actions on submitted OMPs will be published in the *Pennsylvania Bulletin*.

Persons wishing to view or obtain a copy of submitted OMPs are directed to submit a Right-to-Know request to the Department of Agriculture (Department) to arrange access to the plans currently under review.

Persons wishing to comment on an OMP under review by the Commission are invited to submit a written statement outlining their comments on the OMPs to the Commission's Odor Management Program within 21 days from the OMP notice date provided on the Commission's listing of OMPs under review on the Odor Management Program Public Notices webpage. Persons with a question relating to the submission of comments on an OMP under review may contact the Commission office by phone to discuss the process for the submission of comments. Comments should include the name, address and telephone number of the writer, and a concise statement to inform the Commission of the exact basis of the comments and the relevant facts upon which they are based. Comments may be submitted, in writing, to the State Conservation Commission, Department of Agriculture, ATTN: Odor Management Program Coordinator, 2301 North Cameron Street, Room 311, Harrisburg, PA 17110.

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

RUSSELL C. REDDING,  
*Chairperson*

[Pa.B. Doc. No. 17-2197. Filed for public inspection December 29, 2017, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimant's requests concerning the indicated accounts.

The hearings will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

January 17, 2018	Joseph J. O'Neill Pension Forfeiture Issue	1 p.m.
February 7, 2018	Michael F. Kissell Agency Debt Issue	1 p.m.
February 22, 2018	Maria T. DeAugustino Purchase of Service Issue	1 p.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

DAVID E. DURBIN,  
*Secretary*

[Pa.B. Doc. No. 17-2198. Filed for public inspection December 29, 2017, 9:00 a.m.]

